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सं. 1] नई दिल्ली, जनवरी 1—जनवरी 7, 2017, शनिवार/ पौष 11—पौष 17, 1938
No. 1] NEW DELHI, JANUARY 1—JANUARY 7, 2017, SATURDAY/ PAUSA 11—PAUSA 17, 1938

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 26 दिसम्बर, 2016

का.आ. 1.—दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार श्री अनुराग खन्ना, अधिवक्ता को दिल्ली विशेष पुलिस स्थापन (सीबीआई) द्वारा शुरू किए गए केन्द्रीय अन्वेषण ब्यूरो के मामला सं. आरसी 1 (एस)/2008/एससीयू.वी/एससी. II /एनडी 'आरूषि हत्याकांड' में उपस्थित होने के लिए नुपूर तलवार तथा राजेश तलवार द्वारा दायर की गई क्रमशः 2014 की आपराधिक अपील सं. 293 तथा 2014 की आपराधिक अपील सं. 294 अथवा उससे संबंधित अन्य मामलों तथा परिणामी मामलों इलाहाबाद उच्च न्यायालय में उपस्थित होने के लिए नियुक्ति की तारीख से अथवा अधिवक्ता को सौंपी गई अपीलों के निस्तारण, जो पहले हो, से तीन वर्ष के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[फा. सं. 225/21/2016-एवीडी-II]

एस. पी. आर. त्रिपाठी, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS**(Department of Personnel and Training)**

New Delhi, the 26th December, 2016

S.O. 1.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Anurag Khanna, Advocate as Special Public Prosecutor for appearance in 'Aarushi Hemraj Murder Case' CBI case No. RC/1(S)/2008/SCU.V/SC.II/N.D. instituted by Delhi Special Police Establishment (CBI) to appear in the High Court of Judicature at Allahabad in Criminal Appeal 293 of 2014, in Criminal Appeal 293 of 2014 filed by Nupur Talwar and Rajesh Talwar respectively or other matters connected therewith and incidental thereto for a period of three years from the date of appointment or disposal of the appeals entrusted to the counsel whichever is earlier.

[F.No. 225/21/2016-AVD-II]

S. P. R. TRIPATHI, Under Secy.

नई दिल्ली, 30 दिसम्बर, 2016

का.आ. 2.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार उत्तर प्रदेश राज्य सरकार, गृह (पुलिस) अनुभाग-11 की दिनांक 10/09/2015 के आदेश सं. 2778/6-पी-11-2014-540एम/2013 लखनऊ द्वारा प्राप्त सहमति से भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 364 के अंतर्गत पुलिस थाना नैनी, जिला इलाहाबाद, उत्तर प्रदेश में पंजीकृत मुकदमा अपराध सं. 561/2013 तथा उक्त अपराध करने के दौरान किए गए अपराधों से संबंधित अथवा उससे सम्बद्ध अपराधों में किए गए कोई अन्य अपराध (अपराधों), प्रयासों, दुष्प्रेरणाओं और षड्यंत्रों अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों अथवा मुकदमे से संबंधित तथ्य से उत्पन्न किसी अन्य अपराध या अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त उत्तर प्रदेश राज्य में करती है।

[फा. सं. 228/44/2015-एवीडी-II]

एस. पी. आर. त्रिपाठी, अवर सचिव

New Delhi, the 30th December, 2016

S.O. 2.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No.25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh, Grih (Police) Anubhag-11 Lucknow vide Order No.2778/6-P-11-2014-540M/2013 Lucknow dated 10/09/2015 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the state of Uttar Pradesh for investigation of Case Crime No.561/2013 under Section 364 of the Indian Penal Code, 1860 (Act No.45 of 1860), registered in Police Station Naini, District Allahabad, Uttar Pradesh and any other offence(s), attempts, abetments and conspiracy in relation to or in connection with the offence(s) committed in the course of the same transaction or arising out of the same facts or fact in relation to the case.

[F.No. 228/44/2015-AVD-II]

S. P. R. TRIPATHI, Under Secy.

वित्त मंत्रालय**(व्यय विभाग)**

नई दिल्ली, 3 दिसम्बर, 2016

का.आ. 3.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उप-नियम (4) के अनुसरण में भारत सरकार के भारतीय लेखापरीक्षा एवं लेखा विभाग के निम्नलिखित कार्यालयों को, जिनके अस्सी प्रतिशत कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :

1. क्षेत्रीय प्रशिक्षण संस्थान, जयपुर, भारतीय लेखापरीक्षा एवं लेखा विभाग।
2. प्रधान लेखापरीक्षा निदेशक (केन्द्रीय) कोलकाता का कार्यालय, शाखा कार्यालय गुवाहाटी।

[सं. ए.-12034/02/2014-ईजी]

ऐनी जॉर्ज मैथ्यू, संयुक्त सचिव

MINISTRY OF FINANCE**(Department of Expenditure)**

New Delhi, the 3rd December, 2016

S.O. 3.—In pursuance of sub- rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Government of India in the Indian Audit and Accounts Department, in which eighty per cent of the staff have acquired the working knowledge of Hindi, namely:-

1. Office of the Regional Training Institute, Jaipur, Indian Audit and Accounts Department.
2. Office of the Principal Director of Audit (Central), Kolkata, Branch office Guwahati;

[No. A-12034/02/2014-EG]

ANNIE GEORGE MATHEW, Jt. Secy.

विदेश मंत्रालय

(सी.पी.वी. प्रभाग)

नई दिल्ली, 27 दिसम्बर, 2016

का.आ. 4.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारत के दूतावास, बैरूत में श्री राजीव टण्डन, सहायक अनुभाग अधिकारी को दिनांक 27 दिसम्बर, 2016 से सहायक कौंसुलर अधिकारी के तौर पर कौंसुलर सेवाओं के निर्वहन के लिए प्राधिकृत करती है।

[सं. टी.-4330/01/2016]

प्रकाश चन्द, उप सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(CPV DIVISION)

New Delhi, the 27th December, 2016

S.O. 4.—Statutory Order in pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby appoints Shri Rajeev Tandon, Assistant Section Officer as Assistant Consular Officer in Embassy of India, Beirut to perform the Consular services with effect from 27th December, 2016.

[No. T-4330/01/2016]

PRAKASH CHAND, Dy. Secy. (Consular)

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 5.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारत के प्रधान कौंसलावास, जंजीबार में श्री टोंतंग मोशांग मारिंग, सहायक अनुभाग अधिकारी को दिनांक 28 दिसम्बर, 2016 से सहायक कौंसुलर अधिकारी के तौर पर कौंसुलर सेवाओं के निर्वहन के लिए प्राधिकृत करती है।

[सं. टी.-4330/01/2016]

प्रकाश चन्द, उप सचिव (कौंसुलर)

New Delhi, the 28th December, 2016

S.O. 5.—Statutory Order in pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby appoints Shri Tontang Moshang Maring, Assistant Section Officer as Assistant Consular Officer in Embassy of India, Zanzibar to perform the Consular services with effect from 28th December, 2016.

[No. T-4330/01/2016]

PRAKASH CHAND, Dy. Secy. (Consular)

संस्कृति मंत्रालय

नई दिल्ली, 19 दिसम्बर, 2016

का.आ. 6.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, संस्कृति मंत्रालय के अंतर्गत आने वाले कार्यालय कुरुक्षेत्र पैनोरमा एवं विज्ञान केंद्र, कुरुक्षेत्र-136118 (हरियाणा) जिसमें 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

यह अधिसूचना राजपत्र में प्रकाशन की तारीख से प्रवृत्त होगी।

[फा. सं. ई-13016/1/2011-हिंदी]

पंकज राग, संयुक्त सचिव

MINISTRY OF CULTURE

New Delhi, the 19th December, 2016

S.O. 6.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the offices of Kurushetra Penorama and Science Centre, Kurushetra-136118 (Harayana) under the Ministry of Culture wherein more than 80% officers/staff have acquired working knowledge of Hindi.

This notification shall come into force from the date of publication in the Official Gazette.

[F. No. E-13016/1/2011-Hindi]

PANKAJ RAG, Jt. Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

शुद्धि-पत्र

नई दिल्ली, 30 नवम्बर, 2015

का.आ. 7.—इस विभाग की अधिसूचना सं. यू-12012/483/2015-एमई-1 दिनांक 04.08.2015 के अनुक्रम में भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, भारतीय आयुर्विज्ञान परिषद् से परामर्श करके उक्त अधिनियम की प्रथम अनुसूची में, निम्नलिखित, और संशोधन करती है, अर्थात् :-

उक्त प्रथम अनुसूची में -

“मणिपाल विश्वविद्यालय, मणिपाल” के समक्ष ‘पंजीकरण के लिए संक्षिप्तिकरण’ कालम(3) शीर्षक के अंतर्गत डी.एम.(गेस्ट्रोएंटेरोलॉजी) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह मंगलूर, कर्नाटक की बजाय कस्तूरबा मेडिकल कॉलेज मणिपाल, कर्नाटक में प्रशिक्षित किए गए छात्रों को मणिपाल विश्वविद्यालय, मणिपाल, कर्नाटक द्वारा प्रदत्त होगी”।

[सं. यू-12012/483/2015-एमई-1]

डी. वी. के. राव, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE**(Department of Health and Family Welfare)****CORRIGENDUM**

New Delhi, the 30th November, 2015

S.O. 7.—In continuation to this Department's Notification No. U-12012/483/2015-ME-I dated 4.8.2015, and in exercise of the powers conferred by sub-section(2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said Schedule –

“against “Manipal University, Manipal”, under the heading ‘Abbreviation for Registration’ (column 3), the DM(Gastroenterology) qualification shall be a recognised medical qualification when granted by Manipal University, Manipal, Karnataka in respect of students being trained at Kasturba Medical College, Manipal, Karnataka instead of Mangalore, Karnataka”.

[No. U-12012/483/2015-ME-I]

D. V. K. RAO, Under Secy.

शुद्धि-पत्र

नई दिल्ली, 31 अगस्त, 2016

का.आ. 8.—इस विभाग की अधिसूचना सं. यू-12012/33/2011-एमई. (पी. II) दिनांक 16.01.2012 के अनुक्रम में भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, भारतीय आयुर्विज्ञान परिषद् से परामर्श करके उक्त अधिनियम की प्रथम अनुसूची में, निम्नलिखित, और संशोधन करती है, अर्थात् :-

उक्त प्रथम अनुसूची में –

- क) “नागपुर विश्वविद्यालय/आर.टी.एम. नागपुर विश्वविद्यालय” के समक्ष ‘पंजीकरण के लिए संक्षिप्तिकरण’ कालम(3) शीर्षक के अंतर्गत एमडी (रेडियो डायग्नोसिस) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह इंदिरा गांधी मेडिकल कॉलेज, नागपुर में 1990 की बजाए 1988 अथवा उसके पश्चात प्रशिक्षित किए गए छात्रों को नागपुर विश्वविद्यालय/आर.टी.एम. नागपुर विश्वविद्यालय, नागपुर, द्वारा प्रदत्त होगी।

[सं. यू-12012/26/2015-एमई-1]

डी. वी. के. राव, अवर सचिव

CORRIGENDUM

New Delhi, the 31st August, 2016

S.O. 8.—In continuation to this Department's Notification No. U.12012/33/2011-ME(P.II) dated 16.01.2012, and in exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956(102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said Schedule –

- a) against “Nagpur University/R.T.M. Nagpur University” under the heading ‘Abbreviation for Registration’ (column 3), the MD(Radio Diagnosis) qualification shall be a recognised medical qualification when granted by Nagpur University/R.T.M. Nagpur University in respect of students being trained at Indira Gandhi Medical College, Nagpur on or after 1988 instead of 1990”.

[No. U-12012/26/2015-ME-I]

D. V. K. RAO, Under Secy.

नई दिल्ली, 12 नवम्बर, 2015

का.आ. 9.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श के उपरान्त उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अनुसूची में -

(क) “रानी दुर्गावती विश्वविद्यालय, मध्य प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“आपथैल्मिक मेडिसिन एंड सर्जरी में डिप्लोमा”	डीओएमएस यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब नेताजी सुभाष चन्द्र बोस मेडिकल कॉलेज, जबलपुर, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध अकादमिक सत्र, 2008 तक रानी दुर्गावती विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।
“क्लीनिकल पैथॉलोजी में डिप्लोमा”	डीसीपी यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब नेताजी सुभाष चन्द्र बोस मेडिकल कॉलेज, जबलपुर, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध अकादमिक सत्र, 2008 तक रानी दुर्गावती विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।
“डॉक्टर ऑफ मेडिसिन (स्किन एंड वेनेरॉलोजी, डर्माटॉलोजी)”	“एमडी (स्किन एंड वीडी)” यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब नेताजी सुभाष चन्द्र बोस मेडिकल कॉलेज, जबलपुर, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध अकादमिक सत्र, 2008 तक रानी दुर्गावती विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।
“डिप्लोमा इन टयुबरकुलोसिस एंड चेस्ट डिसिजिज़”	डीटीसीडी यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब नेताजी सुभाष चन्द्र बोस मेडिकल कॉलेज, जबलपुर, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध अकादमिक सत्र, 2008 तक रानी दुर्गावती विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।
“डिप्लोमा इन लाइरिंगोलोजी एंड ओटोलोजी”	डीएलओ यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब नेताजी सुभाष चन्द्र बोस मेडिकल कॉलेज, जबलपुर, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध अकादमिक सत्र, 2008 तक रानी दुर्गावती विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

(ख) “ए.पी.सिंह विश्वविद्यालय, मध्य प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“मास्टर ऑफ सर्जरी (ओटो-राइनो- लाइरिंगोलोजी)”	“एमएस (ईएनटी)” (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एस.एस. मेडिकल कॉलेज, रीवा, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध में अकादमिक सत्र, 2008 तक ए.पी.सिंह विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।)
“डिप्लोमा इन लाइरिंगोलोजी एंड ओटोलोजी”	डीएलओ (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एस.एस. मेडिकल कॉलेज, रीवा, मध्य प्रदेश में प्रशिक्षित किए

	गए छात्रों के संबंध में अकादमिक सत्र, 2008 तक ए.पी.सिंह विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।)
“डिप्लोमा इन गायनोकॉलोजी एंड ऑबस्टेट्रिक्स”	डीजीओ (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एस.एस. मेडिकल कॉलेज, रीवा, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध में अकादमिक सत्र, 2008 तक ए.पी.सिंह विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।)

(ग) “देवी अहिल्या विश्वविद्यालय, इंदौर, मध्य प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)

(3)

“डिप्लोमा इन ऑर्थोपीडिक्स”

डी.ऑर्थो.

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एम.जी.एम. मेडिकल कॉलेज, इंदौर, मध्य प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध में अकादमिक सत्र, 2007 तक देवी अहिल्या विश्वविद्यालय, इंदौर, मध्य प्रदेश द्वारा प्रदत्त होगी।)

[सं. यू-12012/49/2013-एमई-1]

डी. वी. के. राव, अवर सचिव

New Delhi, the 12th November, 2015

S.O. 9.—In exercise of the powers conferred by sub-section(2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said Schedule –

a) against “Rani Durgawati Vishwavidhalaya, Madhya Pradesh” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)

(3)

“Diploma in Ophthalmic Medicine & Surgery”

DOMS

(This shall be a recognised medical qualification when granted by Rani Durgawati Vishwavidhalaya, Madhya Pradesh to the students admitted and trained at Netaji Subhash Chandra Bose Medical College, Jabalpur, Madhya Pradesh upto the academic session 2008).

“Diploma in Clinical Pathology”

DCP

(This shall be a recognised medical qualification when granted by Rani Durgawati Vishwavidhalaya, Madhya Pradesh to the students admitted and trained at Netaji Subhash Chandra Bose Medical College, Jabalpur, Madhya Pradesh upto the academic session 2008).

“Doctor of Medicine (Skin & Venerology, Dermatology)”	MD(Skin & VD) (This shall be a recognised medical qualification when granted by Rani Durgawati Vishwavidhalaya, Madhya Pradesh to the students admitted and trained at Netaji Subhash Chandra Bose Medical College, Jabalpur, Madhya Pradesh upto the academic session 2008).
“Diploma in Tuberculosis & Chest Diseases”	DTCD (This shall be a recognised medical qualification when granted by Rani Durgawati Vishwavidhalaya, Madhya Pradesh to the students admitted and trained at Netaji Subhash Chandra Bose Medical College, Jabalpur, Madhya Pradesh upto the academic session 2008).
“Diploma in Laryngology & Otology”	DLO (This shall be a recognised medical qualification when granted by Rani Durgawati Vishwavidhalaya, Madhya Pradesh to the students admitted and trained at Netaji Subhash Chandra Bose Medical College, Jabalpur, Madhya Pradesh upto the academic session 2008).

b) against “A.P. Singh University, Madhya Pradesh” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Master of Surgery(Oto-Rhino-Laryngology)”	MS(ENT) (This shall be a recognised medical qualification when granted by A.P. Singh University, Madhya Pradesh to the students admitted and trained at S.S. Medical College, Rewa, Madhya Pradesh upto the academic session 2008).
“Diploma in Laryngology & Otology”	DLO (This shall be a recognised medical qualification when granted by A.P. Singh University, Madhya Pradesh to the students admitted and trained at S.S. Medical College, Rewa, Madhya Pradesh upto the academic session 2008).
“Diploma in Gynaecology & Obstetrics”	DGO (This shall be a recognised medical qualification when granted by A.P. Singh University, Madhya Pradesh to the students admitted and trained at S.S. Medical College, Rewa, Madhya Pradesh upto the academic session 2008).

c) against “Devi Ahilya Vishwa Vidyalaya, Indore, Madhya Pradesh” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Diploma in Orthopaedics”	D. Ortho. (This shall be a recognised medical qualification when granted by Devi Ahilya Vishwa Vidyalaya, Indore, Madhya Pradesh to the students admitted and

trained at M.G.M. Medical College, Indore, Madhya Pradesh upto the academic session 2007).

[No. U-12012/49/2013-ME-I]

D. V. K. RAO, Under Secy.

नई दिल्ली, 27 नवम्बर, 2015

का.आ. 10.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श के उपरांत उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित संशोधन करती है अर्थात:-

उक्त प्रथम अनुसूची में 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] "केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल" के सामने अंतिम प्रविष्टि के पश्चात और 'पंजीकरण के लिए संक्षिप्तिकरण' [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन(जनरल मेडिसिन)”	<p>एम.डी(जनरल मेडिसिन)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह मलनकरा ऑर्थोडॉक्स सीरियन चर्च मेडिकल कॉलेज, कोलेनशेरी, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“मास्टर ऑफ सर्जरी(ओटोरिनोलेरिंगोलोजी)”	<p>एमएस(इएनटी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पुष्पागिरि इंस्टिट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च सेन्टर,तिरुवला, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(डर्मेटोलॉजी, वेनरोलॉजी एंड लेपरोसी)”	<p>एम.डी(डीबीएल)”</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पुष्पागिरि इंस्टिट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च सेन्टर,तिरुवला, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(फिज़ियॉलोजी)”	<p>एम.डी(फिज़ियॉलोजी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह कन्नूर मेडिकल कॉलेज, कन्नूर, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(फार्माकॉलोजी)”	<p>एम.डी(फार्माकॉलोजी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह कन्नूर मेडिकल कॉलेज, कन्नूर, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(बायोकैमिस्ट्री)”	<p>एम.डी(बायोकैमिस्ट्री)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह करुणा मेडिकल कॉलेज, पालक्काड, केरल में प्रशिक्षित</p>

	<p>किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(पल्मोनरी मेडिसिन)”	<p>एम.डी(पल्मोनरी मेडिसिन)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एमईएस मेडिकल कॉलेज, पेरिनतलामण्णा, मलापुरम, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(बायोकेमिस्ट्री)”	<p>एम.डी(बायोकेमिस्ट्री)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एमईएस मेडिकल कॉलेज, पेरिनतलामण्णा, मल्लापुरम, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(साइकिएट्री)”	<p>एम.डी(साइकिएट्री)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एमईएस मेडिकल कॉलेज, पेरिनतलामण्णा, मल्लापुरम, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(पेडियाट्रिक्स)”	<p>एम.डी(पेडियाट्रिक्स)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एमईएस मेडिकल कॉलेज, पेरिनतलामण्णा, मल्लापुरम, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(कम्युनिटी मेडिसिन)”	<p>एम.डी(कम्युनिटी मेडिसिन)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह श्री गोकुलम मेडिकल कॉलेज, ट्रस्ट एंड रिसर्च फाउंडेशन, त्रिवेन्द्रम, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(माइक्रोबायोलोजी)”	<p>एम.डी(माइक्रोबायोलोजी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह श्री गोकुलम मेडिकल कॉलेज, ट्रस्ट एंड रिसर्च फाउंडेशन, त्रिवेन्द्रम, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन(पैथॉलोजी)”	<p>एम.डी(पैथॉलोजी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह श्री गोकुलम मेडिकल कॉलेज, ट्रस्ट एंड रिसर्च फाउंडेशन, त्रिवेन्द्रम, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)</p>

“डॉक्टर ऑफ मेडिसिन(साइकिएट्री)”

एम.डी(साइकिएट्री)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टी.डी. मेडिकल कॉलेज, आलपुढा, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(फार्माकॉलोजी)”

एम.डी(फार्माकॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टी.डी. मेडिकल कॉलेज, आलपुढा, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(रेडियोथेरेपी)”

एम.डी(रेडियोथेरेपी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह रीजनल कैंसर सेन्टर, तिरुअनंतपुरम केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(साइकिएट्री)”

एम.डी(साइकिएट्री)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.सोमरवेल मेमोरियल सीएसआई अस्पताल एंड मेडिकल कॉलेज, तिरुअनंतपुरम केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(कम्युनिटी मेडिसिन)”

एम.डी(कम्युनिटी मेडिसिन)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.सोमरवेल मेमोरियल सीएसआई अस्पताल एंड मेडिकल कॉलेज, तिरुअनंतपुरम केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(फिज़ियॉलोजी)”

एम.डी(फिज़ियॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह अकादेमी ऑफ मेडिकल साइंसिस, पेरियारम, कन्नूर, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(पेडियाट्रिक्स)”

एम.डी(पेडियाट्रिक्स)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.सोमरवेल मेमोरियल सीएसआई अस्पताल एंड मेडिकल कॉलेज, तिरुअनंतपुरम केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“मास्टर ऑफ सर्जरी(ओटोरिनोलेरिंगोलोजी)”

एम.डी(ईएनटी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.सोमरवेल मेमोरियल सीएसआई अस्पताल एंड मेडिकल कॉलेज, तिरुवनंतपुरम केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(साइकिएट्री)”

एम.डी(साइकिएट्री)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह आमला इंस्टिट्यूट ऑफ मेडिकल साइंसिस, तृशूर, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी(ऑब्स्टेट्रिक्स एंड गॉयनेकॉलोजी)”

एम.डी/एमएस(ओबीसी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह आमला इंस्टिट्यूट ऑफ मेडिकल साइंसिस, तृशूर, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(पेडियाट्रिक्स)”

एम.डी(पेडियाट्रिक्स)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह जुबली मिशन मेडिकल कॉलेज एंड रिसर्च इंस्टिट्यूट, तृशूर, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(रेडियो डायग्नोसिस)”

एम.डी(रेडियो डायग्नोसिस)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह जुबली मिशन मेडिकल कॉलेज एंड रिसर्च इंस्टिट्यूट, तृशूर, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, केरल स्वास्थ्य विज्ञान विश्वविद्यालय, तृशूर, केरल द्वारा प्रदत्त होगी।)

ख) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “अमृता विश्व विद्यापीठम विश्वविद्यालय, कोयंबतूर” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

(2)

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“डॉक्टर ऑफ मेडिसिन(न्युक्लियर मेडिसिन)”

एम.डी(न्युक्लियर मेडिसिन)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह अमृता स्कूल ऑफ मेडिसिन, एम्स. कोची, केरल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, अमृता विश्व विद्यापीठम विश्वविद्यालय, कोयंबतूर द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(टयुबरक्यूलोसिस एंड रेस्पिरेटरी डिसिसिज/पल्मोनरी मेडिसिन)”

एम.डी(टीबी एंड रेस्पिरेटरी डिसिसिज/पल्मोनरी मेडिसिन)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह अमृता स्कूल ऑफ मेडिसिन, एम्स. कोची, केरल में

प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, अमृता विश्व विद्यापीठम विश्वविद्यालय, कोयंबतूर द्वारा प्रदत्त होगी।)

ग) 'मान्यता प्राप्त आयुर्विज्ञान अर्हता'शीर्षक के अधीन[जिसे इसके आगे कालम(2) कहा गया है] "महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र" के सामने अंतिम प्रविष्टि के पश्चात और 'पंजीकरण के लिए संक्षिप्तकरण' [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

(2)

(3)

"डॉक्टर ऑफ मेडिसिन(पैथॉलोजी)"

एम.डी(पैथॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पद्मश्री डॉ. विठ्ठराव विखे पाटिल फाउंडेशन मेडिकल कॉलेज, अहमदनगर, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

मास्टर ऑफ सर्जरी(ऑफ्थॉलमॉलोजी)"

एम.एस(ऑफ्थॉलमॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पद्मश्री डॉ. विठ्ठराव विखे पाटिल फाउंडेशन मेडिकल कॉलेज, अहमदनगर, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

"डॉक्टर ऑफ मेडिसिन(बायोकेमिस्ट्री)"

एम.डी(बायोकेमिस्ट्री)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह श्रीमती काशीबाई नावले मेडिकल कॉलेज एंड जनरल अस्पताल, पुणे, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

"डॉक्टर ऑफ मेडिसिन(फार्माकॉलोजी)"

एम.डी(फार्माकॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह गवर्नमेंट मेडिकल कॉलेज, लातूर, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

"डॉक्टर ऑफ मेडिसिन(पेडियाट्रिक्स)"

एम.डी(पेडियाट्रिक्स)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह गवर्नमेंट मेडिकल कॉलेज, लातूर, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2013 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

"डिप्लोमा इन चाइल्ड हेल्थ"

डीसीएच

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह गवर्नमेंट मेडिकल कॉलेज, लातूर, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2013 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी(ऑफ्थैल्मोलॉजी)”

एम.डी/एम.एस(ऑफ्थैल्मोलॉजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.शंकर राव चव्हाण गवर्नमेंट मेडिकल कॉलेज, नांदेड़, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डिप्लोमा इन ऑफ्थैल्मोलॉजी)”

डीओ

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.शंकर राव चव्हाण गवर्नमेंट मेडिकल कॉलेज, नांदेड़, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(एनेस्थेसियोलॉजी)”

एम.डी (एनेस्थेसियोलॉजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.शंकर राव चव्हाण गवर्नमेंट मेडिकल कॉलेज, नांदेड़, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डिप्लोमा इन एनेस्थेसियोलॉजी)”

डीए

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.शंकर राव चव्हाण गवर्नमेंट मेडिकल कॉलेज, नांदेड़, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(फॉरेंसिक मेडिसिन)”

एम.डी (फॉरेंसिक मेडिसिन)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह बी.जे. मेडिकल कॉलेज, पुणे, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डिप्लोमा इन ऑर्थोपीडिक्स”

डी आर्थो.

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह बी.जे. मेडिकल कॉलेज, पुणे, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(पेडियाट्रिक्स)”

एम.डी(पेडियाट्रिक्स)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह महाराष्ट्र इंस्टिट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च, लातूर, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“मास्टर ऑफ सर्जरी(जनरल सर्जरी)”

एम.एस(जनरल सर्जरी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह महाराष्ट्र इंस्टिट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च, लातूर, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(साइकिएट्री)”

एम.डी(पेडियाट्रिक्स)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ. पंजाबराव एलियास भाऊसाहब देशमुख मेमोरियल मेडिकल कॉलेज, अमरावती, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी(ऑब्स्टेट्रिक्स एंड गॉयनेकॉलोजी)”

एम.डी/एमएस(ओबीजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह महाराष्ट्र इंस्टिट्यूट ऑफ मेडिकल एज्युकेशन, पूणे, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त होगी।)

घ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’शीर्षक के अधीन[जिसे इसके आगे कालम(2) कहा गया है]] “एमजीएम इंस्टिट्यूट ऑफ हेल्थ साइंसिस(डीम्ड विश्वविद्यालय), नवी मुंबई, महाराष्ट्र” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

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“डॉक्टर ऑफ मेडिसिन(डर्मेटॉलोजी, वेनरोलॉजी एंड लेपरोसी)”

एम.डी(डीवीएल)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह महात्मा गांधी मिशन मेडिकल कॉलेज, औरंगाबाद, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, एमजीएम इंस्टिट्यूट ऑफ हेल्थ साइंसिस(डीम्ड विश्वविद्यालय), नवी मुंबई, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(बॉयोकेमिस्ट्री)”

एम.डी(बॉयोकेमिस्ट्री)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह महात्मा गांधी मिशन मेडिकल कॉलेज, औरंगाबाद, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, एमजीएम इंस्टिट्यूट ऑफ हेल्थ साइंसिस(डीम्ड विश्वविद्यालय), नवी मुंबई, महाराष्ट्र द्वारा प्रदत्त होगी।)

ङ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’शीर्षक के अधीन[जिसे इसके आगे कालम(2) कहा गया है]] “होमी भाभा नेशनल इंस्टिट्यूट(डीम्ड विश्वविद्यालय), नवी मुंबई, महाराष्ट्र” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

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“डॉक्टर ऑफ मेडिसिन(पेडियाट्रिक ऑनकोलोजी)”

डी.एम. (पेडियाट्रिक ऑनकोलोजी)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टाटा मेमोरियल अस्पताल मुंबई, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, होमी भाभा नेशनल इंस्टिट्यूट(डीम्ड विश्वविद्यालय), मुंबई, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(माइक्रोबायोलोजी)”

एम.डी.(माइक्रोबायोलोजी)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टाटा मेमोरियल अस्पताल मुंबई, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, होमी भाभा नेशनल इंस्टिट्यूट(डीम्ड विश्वविद्यालय), मुंबई, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(न्यूक्लियर मेडिसिन)”

एम.डी.(न्यूक्लियर मेडिसिन)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टाटा मेमोरियल अस्पताल मुंबई, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, होमी भाभा नेशनल इंस्टिट्यूट(डीम्ड विश्वविद्यालय), मुंबई, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(क्रिटिकल मेडिसिन)”

डी.एम.(क्रिटिकल मेडिसिन)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टाटा मेमोरियल अस्पताल मुंबई, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, होमी भाभा नेशनल इंस्टिट्यूट(डीम्ड विश्वविद्यालय), मुंबई, महाराष्ट्र द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन(पैलिएटिव मेडिसिन)”

एम.डी.(पैलिएटिव मेडिसिन)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टाटा मेमोरियल अस्पताल मुंबई, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, होमी भाभा नेशनल इंस्टिट्यूट(डीम्ड विश्वविद्यालय), मुंबई, महाराष्ट्र द्वारा प्रदत्त होगी।)

च) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता ‘शीर्षक के अधीन[जिसे इसके आगे कालम(2) कहा गया है] “भारती विद्यापीठ(डीम्ड विश्वविद्यालय), पुणे, महाराष्ट्र” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

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“डॉक्टर ऑफ मेडिसिन(पेडियाट्रिक्स)”

एम.डी.(पेडियाट्रिक्स)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह भारती मुंबई, महाराष्ट्र में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, भारती विद्यापीठ(डीम्ड विश्वविद्यालय), पुणे, महाराष्ट्र द्वारा प्रदत्त होगी।)

सभी के लिए नोट : 1. स्नातकोत्तर कोर्स को दी गई ऐसी मान्यता अधिकतम 5 वर्ष के लिए होगी और उसके बाद इसका नवीकरण करवाना होगा ।

2. उपरिस्थित उप खंड (4) में यथा-अपेक्षित मान्यता का समय से नवीकरण करवाने में विफल रहने पर, परिणामस्वरूप, निरपवाद रूप से, स्नात्कोत्तर कोर्स में प्रवेश बंद हो जाएगा।

[सं. यू-12012/672/2015-एमई-I]

डी. वी. के. राव, अवर सचिव

New Delhi, the 27th November, 2015

S.O. 10.—In exercise of the powers conferred by sub-section(2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said Schedule –

- a) against “Kerala University of Health Sciences, Thrissur, Kerala” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)

(3)

“Doctor of Medicine(General Medicine)”

MD(General Medicine)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Malankara Orthodox Syrian Church Medical College, Kolencherry, Kerala on or after 2014).

“Master of Surgery (Otorhinolaryngology)”

MS(ENT)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Pushpagiri Institute of Medical Sciences & Research Centre, Tiruvalla, Kerala on or after 2014).

“Doctor of Medicine(Dermatology, Venereology & Leprosy)”

MD(DVL)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Pushpagiri Institute of Medical Sciences & Research Centre, Tiruvalla, Kerala on or after 2015).

“Doctor of Medicine(Physiology)”

MD(Physiology)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Kannur Medical College, Kannur, Kerala on or after 2015).

“Doctor of Medicine(Pharmacology)”

MD(Pharmacology)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Kannur Medical College, Kannur, Kerala on or after 2014).

“Doctor of Medicine(Biochemistry)”

MD(Biochemistry)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Karuna Medical College, Palakkad, Kerala on or after 2014).

“Doctor of Medicine(Pulmonary Medicine)”

MD(Pulmonary Medicine)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at MES Medical College, Perintalmanna, Malappuram, Kerala on or after 2015).

“Doctor of Medicine(Biochemistry)”

MD(Biochemistry)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at MES Medical College, Perintalmanna, Malappuram, Kerala on or after 2015).

“Doctor of Medicine(Psychiatry)”

MD(Psychiatry)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at MES Medical College, Perintalmanna, Malappuram, Kerala on or after 2015).

“Doctor of Medicine(Paediatics)”

MD(Paediatics)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at MES Medical College, Perintalmanna, Malappuram, Kerala on or after 2015).

“Doctor of Medicine(Community Medicine)”

MD(Community Medicine)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Sri Gokulam Medical College Trust & Research Foundation, Trivandrum, Kerala on or after 2015).

“Doctor of Medicine(Microbiology)”

MD(Microbiology)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Sri Gokulam Medical College Trust & Research Foundation, Trivandrum, Kerala on or after 2015).

“Doctor of Medicine(Pathology)”

MD(Pathology)

(This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students

	being trained at Sri Gokulam Medical College Trust & Research Foundation, Trivandrum, Kerala on or after 2014).
“Doctor of Medicine(Psychiatry)”	MD(Psychiatry) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at T.D. Medical College, Alappuzha, Kerala on or after 2015).
“Doctor of Medicine(Pharmacology)”	MD(Pharmacology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at T.D. Medical College, Alappuzha, Kerala on or after 2015).
“Doctor of Medicine(Radiotherapy)”	MD(Radiotherapy) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Regional Cancer Centre, Thiruvananthapuram, Kerala on or after 2015).
“Doctor of Medicine(Psychiatry)”	MD(Psychiatry) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Dr. Somervel Memorial CSI Hospital & Medical College, Thiruvananthapuram, Kerala on or after 2015)
“Doctor of Medicine(Community Medicine)”	MD(Community Medicine) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Dr. Somervel Memorial CSI Hospital & Medical College, Thiruvananthapuram, Kerala on or after 2015).
“Doctor of Medicine(Community Medicine)”	MD(Community Medicine) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Academy of Medical Sciences, Pariyaram, Kannur, Kerala on or after 2015).
“Doctor of Medicine(Physiology)”	MD(Physiology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Academy of Medical Sciences, Pariyaram, Kannur, Kerala on or after 2015).
“Doctor of Medicine(Paediatics)”	MD(Paediatics) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students

	being trained at Dr. Somervel Memorial CSI Hospital & Medical College, Thiruvananthapuram, Kerala on or after 2015).
“Master of Surgery (Otorhinolaryngology)”	MS(ENT) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Dr. Somervel Memorial CSI Hospital & Medical College, Thiruvananthapuram, Kerala on or after 2015).
“Doctor of Medicine(Psychiatry)”	MD(Psychiatry) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Amala Institute of Medical Sciences, Thrissur, Kerala on or after 2015).
“Doctor of Medicine/Master of Surgery(Obstetrics & Gynaecology)”	MD/MS(OBG) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Amala Institute of Medical Sciences, Thrissur, Kerala on or after 2015).
“Doctor of Medicine(Paediatrics)”	MD(Paediatrics) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Jubilee Mission Medical College & Research Institute, Thrissur, Kerala on or after 2014).
“Doctor of Medicine(Radio Diagnosis)”	MD(Radio Diagnosis) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Jubilee Mission Medical College & Research Institute, Thrissur, Kerala on or after 2014).
b) against “Amrita Vishwa Vidyapeetham University, Coimbatore” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctor of Medicine(Nuclear Medicine)”	MD(Nuclear Medicine) (This shall be a recognised medical qualification when granted by Amrita Vishwa Vidyapeetham University, Coimbatore in respect of students being trained at Amrita School of Medicine, AIMS, Kochi, Kerala on or after 2015).
“Doctor of Medicine (Tuberculosis & Respiratory Diseases/Pulmonary Medicine)”	MD(TB & Respiratory Diseases/Pulmonary Medicine) (This shall be a recognised medical qualification when granted by Amrita Vishwa Vidyapeetham University, Coimbatore in respect of students being trained at Amrita School of Medicine, AIMS, Kochi, Kerala on or after 2013).

c) against “Maharashtra University of Health Sciences, Nashik, Maharashtra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Pathology)”	MD(Pathology) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Padmashri Dr. Vithalrao Vikhe Patil Foundation Medical College, Ahmednagar, Maharashtra on or after 2014).
“Master of Surgery (Ophthalmology)”	MS(Ophthalmology) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Padmashri Dr. Vithalrao Vikhe Patil Foundation Medical College, Ahmednagar, Maharashtra on or after 2015).
“Doctor of Medicine (Biochemistry)”	MD(Biochemistry) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Smt. Kashibai Navale Medical College & General Hospital, Pune, Maharashtra on or after 2014).
“Doctor of Medicine (Pharmacology)”	MD(Pharmacology) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Govt. Medical College, Latur, Maharashtra on or after 2015).
“Doctor of Medicine (Paediatrics)”	MD(Paediatrics) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Govt. Medical College, Latur, Maharashtra on or after 2013).
“Diploma in Child Health”	DCH (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Govt. Medical College, Latur, Maharashtra on or after 2013).
“Doctor of Medicine/Master of Surgery (Ophthalmology)”	MD/MS(Ophthalmology) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Dr. Shankar Rao Chavan Govt. Medical College, Nanded, Maharashtra on or after 2014).

“Diploma in Ophthalmology”	DO (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Dr. Shankar Rao Chavan Govt. Medical College, Nanded, Maharashtra on or after 2014).
“Doctor of Medicine (Anaesthesiology)”	MD(Anaesthesiology) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Dr. Shankar Rao Chavan Govt. Medical College, Nanded, Maharashtra on or after 2014).
“Diploma in Anaesthesiology”	DA (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Dr. Shankar Rao Chavan Govt. Medical College, Nanded, Maharashtra on or after 2014).
“Doctor of Medicine (Forensic Medicine)”	MD(Forensic Medicine) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at B.J. Medical College, Pune, Maharashtra on or after 2015).
“Diploma in Orthopaedics”	D. Ortho. (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at B.J. Medical College, Pune, Maharashtra on or after 2015).
“Doctor of Medicine (Paediatrics)”	MD(Paediatrics) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Maharashtra Institute of Medical Sciences & Research, Latur, Maharashtra on or after 2014).
“Master of Surgery (General Surgery)”	MS(General Surgery) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Maharashtra Institute of Medical Sciences & Research, Latur, Maharashtra on or after 2014).
“Doctor of Medicine (Psychiatry)”	MD(Psychiatry) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Dr. Panjabrao Alias Bhausaheb

	Deshmukh Memorial Medical College, Amravati, Maharashtra on or after 2014).
“Doctor of Medicine/Master of Surgery (Obstetrics & Gynaecology)”	MD/MS(OBG) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of students being trained at Maharashtra Institute of Medical Education & Research, Pune, Maharashtra on or after 2015).

d) against “MGM Institute of Health Sciences(Deemed University), Navi Mumbai, Maharashtra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine(Dermatology, Venereology & Leprosy”	MD(DVL) (This shall be a recognised medical qualification when granted by MGM Institute of Health Sciences(Deemed University), Navi Mumbai, Maharashtra in respect of students being trained at Mahatma Gandhi Mission’s Medical College, Aurangabad, Maharashtra on or after 2014).
“Doctor of Medicine (Biochemistry)	MD(Biochemistry) (This shall be a recognised medical qualification when granted by MGM Institute of Health Sciences(Deemed University), Navi Mumbai, Maharashtra in respect of students being trained at Mahatma Gandhi Mission’s Medical College, Aurangabad, Maharashtra on or after 2015).

e) against “Homi Bhabha National Institute (Deemed University), Mumbai, Maharashtra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Paediatric Oncology)”	DM(Paediatric Oncology) (This shall be a recognised medical qualification when granted by Homi Bhabha National Institute (Deemed University), Mumbai, Maharashtra in respect of students being trained at Tata Memorial Hospital, Mumbai, Maharashtra on or after 2015).
“Doctor of Medicine (Microbiology)”	MD(Microbiology) (This shall be a recognised medical qualification when granted by Homi Bhabha National Institute (Deemed University), Mumbai, Maharashtra in respect of students being trained at Tata Memorial Hospital, Mumbai, Maharashtra on or after 2015).
“Doctor of Medicine (Nuclear Medicine)”	MD(Nuclear Medicine) (This shall be a recognised medical qualification when granted by Homi Bhabha National Institute (Deemed University), Mumbai, Maharashtra in respect of students being trained at Tata Memorial Hospital, Mumbai, Maharashtra on or after 2015).

“Doctor of Medicine (Critical Medicine)”

DM(Critical Medicine)

(This shall be a recognised medical qualification when granted by Homi Bhabha National Institute (Deemed University), Mumbai, Maharashtra in respect of students being trained at Tata Memorial Hospital, Mumbai, Maharashtra on or after 2015).

“Doctor of Medicine (Palliative Medicine)”

MD(Palliative Medicine)

(This shall be a recognised medical qualification when granted by Homi Bhabha National Institute (Deemed University), Mumbai, Maharashtra in respect of students being trained at Tata Memorial Hospital, Mumbai, Maharashtra on or after 2015).

f) against “Bharati Vidyapeeth (Deemed University), Pune, Maharashtra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Paediatrics)”	MD(Paediatrics)
	(This shall be a recognised medical qualification when granted by Bharati Vidyapeeth (Deemed University), Pune, Maharashtra in respect of students being trained at Bharati, Mumbai, Maharashtra on or after 2014).

- Note to all :** 1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
2. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No.U.12012/672/2015-ME-I]

D. V. K. RAO, Under Secy.

नई दिल्ली, 10 दिसम्बर, 2015

का.आ. 11.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श के उपरांत उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित संशोधन करती है अर्थात:-

उक्त प्रथम अनुसूची में “हिमाचल प्रदेश विश्वविद्यालय, हिमाचल प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डिप्लोमा इन ओपथेलमोलोजी”	डीओ
	(यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2007 को अथवा उसके पश्चात इंदिरा गांधी मेडिकल कालेज, शिमला में प्रवेश पाए छात्रों के संदर्भ में हिमाचल प्रदेश विश्वविद्यालय, हिमाचल प्रदेश द्वारा प्रदत्त हो)
“डिप्लोमा इन ओपथेलमिक मेडिसिन एंड सर्जरी”	डीओएमएस
	(यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2007 को अथवा उसके पश्चात इंदिरा गांधी मेडिकल कालेज, शिमला में

प्रवेश पाए छात्रों के संदर्भ में हिमाचल प्रदेश विश्वविद्यालय,
हिमाचल प्रदेश द्वारा प्रदत्त हो)

[सं. यू. 12012/218/2015-एमई.1 पार्ट]

डी. वी. के. राव, अवर सचिव

New Delhi, the 10th December, 2015

S.O. 11.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956(102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said First Schedule against “Himachal Pradesh University, Himachal Pradesh” under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)] after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’[hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Diploma in Ophthalmology”	DO (This shall be a recognized medical qualification when granted by Himachal Pradesh University, Himachal Pradesh in respect of students being Admitted at Indira Gandhi Medical College, Shimla upto the academic session 2007).
Diploma in Ophthalmic Medicine and Surgery	DOMS (This shall be a recognized medical qualification when granted by Himachal Pradesh University, Himachal Pradesh in respect of students being Admitted at Indira Gandhi Medical College, Shimla upto the academic session 2007).

[No. U-12012/218/2015-ME.I pt]

D. V. K. RAO, Under Secy.

नई दिल्ली, 15 मार्च, 2016

का.आ. 12.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श करके उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है अर्थात:-

उक्त प्रथम अनुसूची में

ग) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “राजस्थान विश्वविद्यालय, जयपुर, राजस्थान” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात:-

(2)	(3)
डॉ. ऑफ मेडिसिन (कम्युनिटी मेडिसिन)	एमडी(कम्युनिटी मेडिसिन) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एस.पी. मेडिकल कॉलेज, बीकानेर, राजस्थान में प्रशिक्षित किए गए छात्रों के संबंध में 1978 को या बाद में, राजस्थान विश्वविद्यालय, जयपुर, राजस्थान द्वारा प्रदत्त होगी।

सभी के लिए नोट : 1. अधोस्नातक कोर्स को दी गई ऐसी मान्यता अधिकतम 5 वर्ष के लिए होगी और उसके बाद इसका नवीकरण करवाना होगा ।

2. अपेक्षित मान्यता का समय से नवीकरण करवाने में विफल रहने पर, परिणामस्वरूप, निरपवाद रूप से, संबंधित अधोस्नातक कोर्स में प्रवेश बंद हो जाएगा।

[सं. यू-12012/576/2015-एमई-1]

डी. वी. के. राव, अवर सचिव

New Delhi, the 15th March, 2016

S.O. 12.—In exercise of the powers conferred by sub-section(2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said Schedule –

- c) against “Rajasthan University, Jaipur, Rajasthan” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Community Medicine)”	MD (Community Medicine)
	(This shall be a recognised medical qualification when granted by Rajasthan University, Jaipur Rajasthan in respect of students being trained at S.P. Medical College, Bikaner, Rajasthan on or after 1978.

- Note to all:** 1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
2. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U.12012/576/2015-ME-I]

D. V. K. RAO, Under Secy.

नई दिल्ली, 29 मार्च, 2016

का.आ. 13.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श के उपरांत उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित संशोधन करती है अर्थात:-

उक्त प्रथम अनुसूची में “एच आई एच टी विश्वविद्यालय, देहरादून” से पूर्व “स्वामी राम हिमालय विश्वविद्यालय, देहरादून” की प्रविष्टि की जाएगी और “स्वामी राम हिमालय विश्वविद्यालय, देहरादून” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डिप्लोमा इन एनिस्थिसिया”	डीए
“डिप्लोमा इन चार्ड्ड हैल्थ”	डीसीएच
“डिप्लोमा इन क्लीनिकल पैथॉलोजी”	डीसीपी
“डिप्लोमा इन ऑब्स्टेट्रिक्स एंड गायनेकॉलोजी”	डीजीओ
“डिप्लोमा इन ऑर्थोपीडिक्स”	डी ऑर्थो
“डिप्लोमा इन मेडिकल रेडियो डायग्नोसिस”	डी एम आर डी
“डॉक्टर ऑफ मेडिसिन (एनेस्थेसियॉलोजी)”	एमडी (एनेस्थेसियॉलोजी)
“डॉक्टर ऑफ मेडिसिन (बायोकेमिस्ट्री)”	एमडी (बायोकेमिस्ट्री)
“डॉक्टर ऑफ मेडिसिन (जनरल मेडिसिन)”	एमडी (जनरल मेडिसिन)

“डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलॉजी)”	एमडी (माइक्रोबायोलॉजी)
“डॉक्टर ऑफ मेडिसिन (पेडिएट्रिक्स)”	एमडी (पेडिएट्रिक्स)
“डॉक्टर ऑफ मेडिसिन (पैथॉलोजी)”	एमडी (पैथॉलोजी)
“डॉक्टर ऑफ मेडिसिन (फारमाकोलॉजी)”	एमडी (फारमाकोलॉजी)
“डॉक्टर ऑफ मेडिसिन (फिजियॉलोजी)”	एमडी (फिजियॉलोजी)
“डॉक्टर ऑफ मेडिसिन (रेडियो डायग्नोसिस/रेडियोलॉजी)”	एमडी (रेडियोडायग्नोसिस/रेडियोलॉजी)
“डॉक्टर ऑफ मेडिसिन (सोशल एण्ड प्रीवेंटिव मेडिसिन/कम्युनिटी मेडिसिन)”	एमडी(एस पी एम/ कम्युनिटी मेडिसिन)
“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (एनाटॉमी)”	एमडी/एमएस (एनाटॉमी)
“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (ऑब्स्टेट्रिक्स एण्ड गायनेकॉलोजी)”	एमडी/ एमएस(ओबीजी)
“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (ऑप्थैल्मोलॉजी)”	एमडी/एमएस(ऑप्थैल्मोलॉजी)
“मास्टर ऑफ सर्जरी (इएनटी)”	एमएस(इएनटी)
“मास्टर ऑफ सर्जरी(जनरल सर्जरी)”	एमएस(जनरल सर्जरी)
“मास्टर ऑफ सर्जरी(ऑर्थोपेडिक्स)”	एमएस (ऑर्थोपेडिक्स)

ये मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब ये जून, 2014 को अथवा उसके पश्चात स्वामी रामा हिमालयन इंस्टिट्यूट ऑफ मेडिकल साइंसिस, देहरादून में प्रवेश पाने वाले छात्रों के संदर्भ में “स्वामी रामा विश्वविद्यालय, देहरादून” द्वारा प्रदत्त हो।

- नोट :**
1. स्नात्कोत्तर कोर्स को दी गई ऐसी मान्यता अधिकतम 5 वर्ष के लिए होगी और उसके बाद इसका नवीकरण करवाना होगा।
 2. मान्यता के 'नवीकरण' की प्रक्रिया वही होगी जो मान्यता प्रदान करने के लिए लागू होती है।
 3. समय से यथा-अपेक्षित मान्यता का समय से नवीकरण करवाने में विफल रहने पर, परिणामतः, निरपवाद रूप से, संबंधित स्नात्कोत्तर कोर्स में प्रवेश बंद हो जाएगा।

[सं. यू. 12012/84/2012-एमई.1 पार्ट]

डी. वी. के. राव, अवर सचिव

New Delhi, the 29th March, 2016

S.O. 13.— In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956(102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change in name of affiliating University namely:-

In the said First Schedule before “HIHT University, Dehradun” and entries thereto “Swami Rama Himalaya University, Dehradun” shall be added and against “Swami Rama Himalaya University, Dehradun” under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)] after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Diploma in Anaesthesia”	D.A.
“Diploma in Child Health”	D.C.H.
“Diploma in Clinical Pathology”	D.C.P.
“Diploma in Obstetrics & Gynaecology”	D.G.O.
“Diploma in Orthopaedics”	D.Ortho.
“Diploma in Medical Radio Diagnosis”	D.M.R.D.
“Doctor of Medicine(Anaesthesiology)”	MD(Anaesthesiology)
“Doctor of Medicine(Biochemistry)”	MD(Biochemistry)
“Doctor of Medicine(General Medicine)”	MD(General Medicine)
“Doctor of Medicine(Microbiology)”	MD(Microbiology)

“Doctor of Medicine(Paediatrics)”	MD(Paediatrics)
“Doctor of Medicine(Pathology)”	MD(Pathology)
“Doctor of Medicine(Pharmacology)”	MD(Pharmacology)
“Doctor of Medicine(Physiology)”	MD(Physiology)
“Doctor of Medicine(Radio diagnosis/Radiology)”	MD(Radiodiagnosis/Radiology)
“Doctor of Medicine(Social & Preventive Medicine/ Community Medicine)”	MD(S.P.M./Community Medicine)
“Doctor of Medicine/Master of Surgery(Anatomy)”	MD/MS(Anatomy)
“Doctor of Medicine/Master of Surgery(Obstetrics & Gynaecology)”	MD/MS(OBG)
“Doctor of Medicine/Master of Surgery(Ophthalmology)”	MD/MS(Ophthalmology)
“Master of Surgery(ENT)”	MS(ENT)
“Master of Surgery(General Surgery)”	MS(General Surgery)
“Master of Surgery(Orthopaedics)”	MS(Orthopaedics)

These shall be a recognized medical qualification when granted by “Swami Rama Himalaya University, Dehradun” in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun on or after June 2014).

- Note:**
1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
 2. The procedure for ‘Renewal’ of recognition shall be same as applicable for the award of recognition.
 3. Failure to seek timely renewal of recognition as required shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U.12012/84/2012-ME.I pt]

D. V. K. RAO, Under Secy.

नई दिल्ली, 16 मई, 2016

का.आ. 14.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श के उपरांत उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित संशोधन करती है अर्थात:-

उक्त अनुसूची में -

(क) “केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (एनेस्थीसिया)”	“एमडी (एनेस्थीसियोलोजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात मलंकारा ओर्थोडॉक्स सीरियन चर्च मेडिकल कालेज, कोल्लेचेरी में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (पेडिएट्रिक ओंकोलोजी)”	“एमडी (पेडिएट्रिक ओंकोलोजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात क्षेत्रीय कैंसर केंद्र, तिरुवनंतपुरम में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान

	विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (पैथोलॉजी)”	“एमडी (पैथोलॉजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात कन्नौर मेडिकल कालेज, कन्नौर, केरल में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (पेडिएट्रिक्स)”	“एमडी (पेडिएट्रिक्स)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके अमला आयुर्विज्ञान संस्थान, त्रिशूर, केरल में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“मास्टर ऑफ सर्जरी (ईएनटी)”	“एमएस (ईएनटी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात टीडी मेडिकल कॉलेज, अलापुजा, केरल में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“डिप्लोमा इन लाइरिंगोलोजी एंड ओटोलोजी”	डीएलओ (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात टीडी मेडिकल कॉलेज, अलापुजा, केरल में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (पैथोलॉजी)”	“एमडी (पैथोलॉजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात आयुर्विज्ञान अकादमी, परियारम, कन्नौर, केरल में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“मास्टर ऑफ सर्जरी (जनरल सर्जरी)”	“एमएस (जनरल सर्जरी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात मलंकारा ओर्थोडॉक्स सीरियन चर्च मेडिकल कालेज, कोलेंचेरी में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“डिप्लोमा इन ओप्येलमोलोजी ”	डीएमआरडी (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात पुष्पगिरी आयुर्विज्ञान और अनुसंधान संस्थान केंद्र, तिरुवला, केरल में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (कम्यूनिटी मेडिसिन)”	“एमडी (कम्यूनिटी मेडिसिन)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात अमला आयुर्विज्ञान संस्थान, कोलेंचेरी, केरल में प्रशिक्षित छात्रों के संदर्भ में केरल स्वास्थ्य विज्ञान

	विश्वविद्यालय, त्रिशूर, केरल द्वारा प्रदत्त हो)
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(ख) “राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (डीवीएल)”	“एमडी (डीवीएल)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात एस. निजलिंगप्पा मेडिकल कालेज और एचएसके अस्पताल और अनुसंधान केंद्र, बंगलूर, कर्नाटक में प्रशिक्षित छात्रों के संदर्भ में राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (डीवीएल)”	“एमडी (डीवीएल)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात एस.एस. आयुर्विज्ञान संस्थान और अनुसंधान केंद्र, देवांगिरी, कर्नाटक में प्रशिक्षित छात्रों के संदर्भ में राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (बायोकेमिस्ट्री)”	“एमडी (बायोकेमिस्ट्री)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात एस.एस. आयुर्विज्ञान संस्थान और अनुसंधान केंद्र, देवांगिरी, कर्नाटक में प्रशिक्षित छात्रों के संदर्भ में राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (पैथोलॉजी)”	“एमडी (पैथोलॉजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात एस.एस. आयुर्विज्ञान संस्थान और अनुसंधान केंद्र, देवांगिरी, कर्नाटक में प्रशिक्षित छात्रों के संदर्भ में राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (फॉरेंसिक मेडिसिन)”	“एमडी (फॉरेंसिक मेडिसिन)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात रायचूर आयुर्विज्ञान संस्थान, रायचूर, कर्नाटक में प्रशिक्षित छात्रों के संदर्भ में राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (नेफ्रोलॉजी)”	“एमडी (नेफ्रोलॉजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात एम.एस. रमैया मेडिकल कॉलेज, बंगलौर, कर्नाटक में प्रशिक्षित छात्रों के संदर्भ में राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (फिजियोलॉजी)”	“एमडी (फिजियोलॉजी)”

	(यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात बीदर आयुर्विज्ञान संस्थान, बीदर, कर्नाटक में प्रशिक्षित छात्रों के संदर्भ में राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर, कर्नाटक द्वारा प्रदत्त हो)
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(ग) “महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (डीवीएल/स्किन और वीडो)”	“एमडी (डीवीएल/स्किन और वीडो)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2013 को अथवा उसके पश्चात सरकारी मेडिकल कालेज, नागपुर, महाराष्ट्र में प्रशिक्षित छात्रों के संदर्भ में महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलॉजी)”	“एमडी (माइक्रोबायोलॉजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2013 को अथवा उसके पश्चात सरकारी मेडिकल कालेज, लातूर, महाराष्ट्र में प्रशिक्षित छात्रों के संदर्भ में महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक, महाराष्ट्र द्वारा प्रदत्त हो)

(घ) “पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता, पश्चिम बंगाल” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (बायोकेमिस्ट्री)”	“एमडी (बायोकेमिस्ट्री)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2016 को अथवा उसके पश्चात नीलरतन सरकार मेडिकल कालेज, कोलकाता, पश्चिम बंगाल में प्रशिक्षित छात्रों के संदर्भ में पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता, पश्चिम बंगाल द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (फार्माकोलोजी)”	“एमडी (फार्माकोलोजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात मेडिकल कालेज, कोलकाता, पश्चिम बंगाल में प्रशिक्षित छात्रों के संदर्भ में पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता, पश्चिम बंगाल द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (कार्डियोलोजी)”	“डीएम (कार्डियोलोजी)” (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात बर्दवान मेडिकल कालेज, बर्दवान, पश्चिम बंगाल में प्रशिक्षित छात्रों के संदर्भ में पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता, पश्चिम बंगाल द्वारा प्रदत्त हो)

(ड) "चेट्टीनाद अनुसंधान और शिक्षा अकादमी (मानद विश्वविद्यालय), कांचीपुरम, तमिलनाडु" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (एनाटोमी)"	"एमडी/एमएस (एनाटोमी)" (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात चेट्टीनाद अस्पताल और अनुसंधान संस्थान, कांचीपुरम, तमिलनाडु में प्रशिक्षित छात्रों के संदर्भ में चेट्टीनाद अनुसंधान और शिक्षा अकादमी (मानद विश्वविद्यालय), कांचीपुरम, तमिलनाडु द्वारा प्रदत्त हो)
"डॉक्टर ऑफ मेडिसिन (डीवीएल)"	"एमडी (डीवीएल)" (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात चेट्टीनाद अस्पताल और अनुसंधान संस्थान, कांचीपुरम, तमिलनाडु में प्रशिक्षित छात्रों के संदर्भ में चेट्टीनाद अनुसंधान और शिक्षा अकादमी (मानद विश्वविद्यालय), कांचीपुरम, तमिलनाडु द्वारा प्रदत्त हो)

(च) "पांडिचेरी विश्वविद्यालय, पुदुच्चेरी" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (फार्माकॉलॉजी)"	एमडी(फार्माकॉलॉजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात श्री वेंकटेश्वर मेडिकल कॉलेज, अस्पताल एवं अनुसंधान केन्द्र, पांडिचेरी में प्रशिक्षित छात्रों के संदर्भ में पांडिचेरी विश्वविद्यालय, पुदुच्चेरी द्वारा प्रदत्त हो)
"डॉक्टर ऑफ मेडिसिन (फिज़ियोलॉजी)"	एमडी(फिज़ियोलॉजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात श्री वेंकटेश्वर मेडिकल कॉलेज, अस्पताल एवं अनुसंधान केन्द्र, पांडिचेरी में प्रशिक्षित छात्रों के संदर्भ में पांडिचेरी विश्वविद्यालय, पुदुच्चेरी द्वारा प्रदत्त हो)
"डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलॉजी)"	एमडी(माइक्रोबायोलॉजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात श्री वेंकटेश्वर मेडिकल कॉलेज, अस्पताल एवं अनुसंधान केन्द्र, पांडिचेरी में प्रशिक्षित छात्रों के संदर्भ में पांडिचेरी विश्वविद्यालय, पुदुच्चेरी द्वारा प्रदत्त हो)
"डॉक्टर ऑफ मेडिसिन (एनाटोमी)"	एमडी(एनाटोमी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात श्री वेंकटेश्वर मेडिकल कॉलेज, अस्पताल एवं अनुसंधान केन्द्र, पांडिचेरी में प्रशिक्षित छात्रों के संदर्भ में पांडिचेरी विश्वविद्यालय, पुदुच्चेरी द्वारा प्रदत्त हो)

“डॉक्टर ऑफ मेडिसिन (बायोकेमिस्ट्री)”	एमडी(बायोकेमिस्ट्री) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात श्री वेंकटेश्वर मेडिकल कॉलेज, अस्पताल एवं अनुसंधान केन्द्र, पांडिचेरी में प्रशिक्षित छात्रों के संदर्भ में पांडिचेरी विश्वविद्यालय, पुदुच्चेरी द्वारा प्रदत्त हो)
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(छ) “डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (डीबीएल)”	एमडी(डीबीएल) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात कतूरी मेडिकल कॉलेज, गुंटूर, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“मास्टर ऑफ सर्जरी (ओप्येलमॉलोजी)”	एमएस(ओप्येलमॉलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2013 को अथवा उसके पश्चात कतूरी मेडिकल कॉलेज, गुंटूर, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (एनेस्थीसिया)”	एमडी(एनेस्थीसिया) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2012 को अथवा उसके पश्चात कतूरी मेडिकल कॉलेज, गुंटूर, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“डिप्लोमा इन एनेस्थीसिया”	डीए (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2012 को अथवा उसके पश्चात कतूरी मेडिकल कॉलेज, गुंटूर, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (रेडियो डायग्नोसिस)”	एमडी(रेडियो डायग्नोसिस) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात डॉ. पिन्नम्मानेनी सिद्धार्थ इंस्टीट्यूट ऑफ मेडिकल साइंस एंड रिसर्च फाउंडेशन, चिन्नाउटपल्ली, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“मास्टर ऑफ सर्जरी (ओप्येलमॉलोजी)”	एमएस(ओप्येलमॉलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात डॉ. पिन्नम्मानेनी सिद्धार्थ इंस्टीट्यूट ऑफ मेडिकल साइंस एंड रिसर्च फाउंडेशन, चिन्नाउटपल्ली, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)

“डॉक्टर ऑफ ऑस्टियोपैथी”	डीओ (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात डॉ. पिन्नम्मानेनी सिद्धार्थ इंस्टीट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च फाउंडेशन, चिन्नाउटपल्ली, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (एनेस्थीसियोलोजी)”	एमडी (एनेस्थीसियोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात सांथीराम मेडिकल कॉलेज, नांदयाल, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलोजी)”	एमडी (माइक्रोबायोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात सांथीराम मेडिकल कॉलेज, नांदयाल, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (डीवीएल)”	एमडी (डीवीएल) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात कोनासीमा इंस्टीट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च फाउंडेशन, अमलापुरम, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलोजी)”	एमडी (माइक्रोबायोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात शडन इंस्टीट्यूट ऑफ मेडिकल साइंसिस, हैदराबाद में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)
“मजिस्ट्रार चीरुरजी (न्यूरोसर्जरी)”	एमसीएच (न्यूरोसर्जरी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात ममता मेडिकल कॉलेज, खम्मम, आंध्र प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त हो)

(ज) “द तमिलनाडु डॉ. एमजीआर चिकित्सा विश्वविद्यालय, चेन्नै, तमिलनाडु” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (ट्रांसफ्यूजन मेडिसिन)”	एमडी (ट्रांसफ्यूजन मेडिसिन) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात क्रिश्चियन मेडिकल कॉलेज, वेल्लूर, तमिलनाडु में प्रशिक्षित छात्रों के संदर्भ में डॉ. एमजीआर चिकित्सा विश्वविद्यालय, चेन्नै, तमिलनाडु द्वारा प्रदत्त हो)

“डॉक्टर ऑफ मेडिसिन (रियूमेटोलोजी)”	एमडी (रियूमेटोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात क्रिश्चियन मेडिकल कॉलेज, वेल्लूर, तमिलनाडु में प्रशिक्षित छात्रों के संदर्भ में डॉ. एमजीआर चिकित्सा विश्वविद्यालय, चेन्नै, तमिलनाडु द्वारा प्रदत्त हो)
“मजिस्ट्रार चीरूरजी (वस्कुलर सर्जरी)”	एम.सीएच (वस्कुलर सर्जरी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात क्रिश्चियन मेडिकल कॉलेज, वेल्लूर, तमिलनाडु में प्रशिक्षित छात्रों के संदर्भ में डॉ. एमजीआर चिकित्सा विश्वविद्यालय, चेन्नै, तमिलनाडु द्वारा प्रदत्त हो)

झ) “डॉ. राम मनोहर लोहिया अवध विश्वविद्यालय, फैजाबाद, उत्तर प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (एनाटोमी)”	एमडी(एनाटोमी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात इरा'ज़ लखनऊ मेडिकल कॉलेज, उत्तर प्रदेश में प्रशिक्षित छात्रों के संदर्भ में डॉ. राम मनोहर लोहिया अवध विश्वविद्यालय, फैजाबाद, उत्तर प्रदेश द्वारा प्रदत्त हो)

ण) “सुमनदीप विद्यापीठ, वडोदरा, गुजरात” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डिप्लोमा इन लैरिंगोलोजी एंड ओटोलोजी”	डीएलओ (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात श्रीमती वी.के.शाह चिकित्सा संस्थान एवं अनुसंधान केन्द्र, वडोदरा, गुजरात में प्रशिक्षित छात्रों के संदर्भ में सुमनदीप विद्यापीठ, वडोदरा, गुजरात द्वारा प्रदत्त हो)

त) “एमजेपी रोहिलखंड विश्वविद्यालय, बरेली, उत्तर प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (स्किन एंड वेनरेल डिसीसिज़)”	एमडी(स्किन एंड वीडि) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात रोहिलखंड मेडिकल कॉलेज एवं अस्पताल, बरेली, उत्तर प्रदेश में प्रशिक्षित छात्रों के संदर्भ में एमजेपी रोहिलखंड विश्वविद्यालय, बरेली, उत्तर प्रदेश द्वारा प्रदत्त हो)

थ) “नॉर्थ-ईस्टर्न हिल विश्वविद्यालय, मेघालय” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (कार्डियोलोजी)”	डीएम(कार्डियोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात नॉर्थ-ईस्टर्न इंदिरा गांधी रीजनल इंस्टीट्यूट ऑफ हेल्थ एंड मेडिकल साइंसिस, शिलांग, मेघालय में प्रशिक्षित छात्रों के संदर्भ में नॉर्थ-ईस्टर्न हिल विश्वविद्यालय, मेघालय द्वारा प्रदत्त हो)

द) “श्रीमंत शंकरदेव स्वास्थ्य विज्ञान विश्वविद्यालय, गुवाहाटी, असम” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलोजी)”	एमडी (माइक्रोबायोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात सिलचर मेडिकल कॉलेज, सिलचर, असम में प्रशिक्षित छात्रों के संदर्भ में श्रीमंत शंकरदेव स्वास्थ्य विज्ञान विश्वविद्यालय, गुवाहाटी, असम द्वारा प्रदत्त हो)

ध) “चौ. चरण सिंह विश्वविद्यालय, मेरठ, उत्तर प्रदेश” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (फार्माकोलोजी)”	एमडी (फार्माकोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात मुजफ्फरनगर मेडिकल कॉलेज, मुजफ्फरनगर, उ.प्र. में प्रशिक्षित छात्रों के संदर्भ में चौ. चरण सिंह विश्वविद्यालय, मेरठ, उत्तर प्रदेश द्वारा प्रदत्त हो)

न) “गुरु गोविन्द सिंह इंद्रप्रस्थ विश्वविद्यालय, नई दिल्ली” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
“मजिस्ट्रार चिरूरजी (यूरोलोजी)”	एम.सी.एच (यूरोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात स्नातकोत्तर चिकित्सा शिक्षा एवं अनुसंधान संस्थान, डॉ. आरएमएल अस्पताल, नई दिल्ली में प्रशिक्षित छात्रों के संदर्भ में गुरु गोविन्द सिंह इंद्रप्रस्थ विश्वविद्यालय, नई दिल्ली द्वारा प्रदत्त हो)

प) "मीनाक्षी विश्वविद्यालय, चेन्नै, तमिलनाडु" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"मजिस्ट्रार चीरुरजी (यूरोलोजी)"	एम.सीएच (यूरोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात मीनाक्षी मेडिकल कॉलेज एवं अनुसंधान संस्थान, एनाथुर, तमिलनाडु में प्रशिक्षित छात्रों के संदर्भ में मीनाक्षी विश्वविद्यालय, चेन्नै, तमिलनाडु द्वारा प्रदत्त हो)

फ) "दत्ता मेघे चिकित्सा विज्ञान संस्थान (डीम्ड विश्वविद्यालय), नागपुर, महाराष्ट्र" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"मजिस्ट्रार चीरुरजी (यूरोलोजी)"	एम.सीएच (यूरोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात जवाहर लाल नेहरू मेडिकल कॉलेज, वर्धा, महाराष्ट्र में प्रशिक्षित छात्रों के संदर्भ में दत्ता मेघे चिकित्सा विज्ञान संस्थान (डीम्ड विश्वविद्यालय), नागपुर, महाराष्ट्र द्वारा प्रदत्त हो)

ब) "देवी अहिल्या विश्वविद्यालय, इंदौर, मध्य प्रदेश" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"मजिस्ट्रार चीरुरजी (सर्जिकल ओंकोलोजी)"	एम.सीएच (सर्जिकल ओंकोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात श्री अरविन्दो मेडिकल एंड पोस्ट ग्रेजुएट संस्थान, इंदौर, मध्य प्रदेश में प्रशिक्षित छात्रों के संदर्भ में देवी अहिल्या विश्वविद्यालय, इंदौर, मध्य प्रदेश द्वारा प्रदत्त हो)

भ) "राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर, राजस्थान" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (गैस्ट्रोएन्टेरोलोजी)"	डीएम (गैस्ट्रोएन्टेरोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात डॉ. एसएन मेडिकल कॉलेज, जोधपुर, राजस्थान में प्रशिक्षित छात्रों के संदर्भ में राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर, राजस्थान द्वारा प्रदत्त हो)

म) “एलएन मिथिला विश्वविद्यालय / आर्यभट्ट नोलिज विश्वविद्यालय, पटना, बिहार” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
डीटीएम एंड एच	डीटीएम एंड एच (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात दरभंगा मेडिकल कॉलेज, दरभंगा, बिहार में प्रशिक्षित छात्रों के संदर्भ में एलएन मिथिला विश्वविद्यालय / आर्यभट्ट नोलिज विश्वविद्यालय, पटना, बिहार द्वारा प्रदत्त हो)

य) “उत्कल विश्वविद्यालय, उड़ीसा” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (एनेस्थीसिया)"	एमडी (एनेस्थीसिया) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात हाई-टेक मेडिकल कॉलेज एवं अस्पताल, भुवनेश्वर, उड़ीसा में प्रशिक्षित छात्रों के संदर्भ में उत्कल विश्वविद्यालय, उड़ीसा द्वारा प्रदत्त हो)

र) “रांची विश्वविद्यालय, रांची, झारखण्ड” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (कम्युनिटी मेडिसिन)"	एमडी (कम्युनिटी मेडिसिन) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात राजेन्द्र आयुर्विज्ञान संस्थान, रांची, झारखण्ड में प्रशिक्षित छात्रों के संदर्भ में रांची विश्वविद्यालय, रांची, झारखण्ड द्वारा प्रदत्त हो)

ल) “कुमाऊं विश्वविद्यालय, नैनीताल, उत्तराखण्ड” के समक्ष ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और “पंजीकरण के लिए संक्षिप्ति” [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (एनेस्थीसिया)"	एमडी (एनेस्थीसिया) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात सरकारी मेडिकल कॉलेज (पूर्व में उत्तराखंड फॉरेस्ट हॉस्पिटल ट्रस्ट मेडिकल कॉलेज), हल्द्वानी, उत्तराखंड में प्रशिक्षित छात्रों के संदर्भ में कुमाऊं विश्वविद्यालय, नैनीताल, उत्तराखण्ड द्वारा प्रदत्त हो)

व) "सम्बलपुर विश्वविद्यालय, सम्बलपुर, ओडिशा" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलोजी)"	एमडी (माइक्रोबायोलोजी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात वीएसएस मेडिकल कॉलेज, बर्ला, ओडिशा में प्रशिक्षित छात्रों के संदर्भ में सम्बलपुर विश्वविद्यालय, सम्बलपुर, ओडिशा द्वारा प्रदत्त हो)

श) "एमजीएम स्वास्थ्य विज्ञान संस्थान, नवी मुम्बई, महाराष्ट्र" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (पेडिएट्रिक्स)"	एमडी (पेडिएट्रिक्स) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात महात्मा गांधी मिशन मेडिकल कॉलेज, औरंगाबाद, महाराष्ट्र में प्रशिक्षित छात्रों के संदर्भ में एमजीएम स्वास्थ्य विज्ञान संस्थान, नवी मुम्बई, महाराष्ट्र द्वारा प्रदत्त हो)

स) "पं. बी.डी.शर्मा स्वास्थ्य विज्ञान विश्वविद्यालय, रोहतक, हरियाणा" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"एम.सीएच (कार्डियक थोरासिक सर्जरी)"	एम.सीएच (कार्डियक थोरासिक सर्जरी) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2014 को अथवा उसके पश्चात पं. बी.डी.शर्मा स्नातकोत्तर आयुर्विज्ञान संस्थान, रोहतक, हरियाणा में प्रशिक्षित छात्रों के संदर्भ में पं. बी.डी.शर्मा स्वास्थ्य विज्ञान विश्वविद्यालय, रोहतक, हरियाणा द्वारा प्रदत्त हो)

ह) "आर्यभट्ट नोलिज विश्वविद्यालय, पटना, बिहार" के समक्ष 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [आगे कालम (2) के रूप में संदर्भित है] शीर्ष में अन्तिम प्रविष्टि के पश्चात और "पंजीकरण के लिए संक्षिप्ति" [आगे कालम (3) के रूप में संदर्भित है] शीर्ष के अधीन निम्नलिखित अंतर्विष्ट किया जाएगा, अर्थात:-

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (पेडिएट्रिक्स)"	एमडी (पेडिएट्रिक्स) (यह मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह 2015 को अथवा उसके पश्चात जवाहरलाल नेहरू मेडिकल कॉलेज, भागलपुर, बिहार में प्रशिक्षित छात्रों के संदर्भ में आर्यभट्ट नोलिज विश्वविद्यालय, पटना, बिहार द्वारा प्रदत्त हो)

- टिप्पणी :** 1. इस प्रकार से स्नातकोत्तर पाठ्यक्रम को दी गई मान्यता अधिकतम 5 वर्ष के लिए होगी जिसका तदनंतर नवीनीकरण कराया जाएगा।
2. उप-खंड -4 की अपेक्षा के अनुरूप मान्यता का नवीनीकरण समय से करवाने में विफल रहने पर संबंधित स्नातकोत्तर कोर्स में प्रवेश निरपवाद रूप से रोक दिया जाएगा।

[सं. यू. 12012/25/2016-एमई.1 पार्ट]

अमित बिस्वास, अवर सचिव

New Delhi, the 16th May, 2016

S.O. 14.—In exercise of the powers conferred by sub-section(2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said Schedule –

- a) against “Kerala University of Health Sciences, Thrissur, Kerala” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Anaesthesia)”	MD (Anesthesiology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Malankara Orthodox Syrian Church Medical College, Kolenchery on or after 2015).
“Doctor of Medicine (Paediatric Oncology)”	DM (Paediatric Oncology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Regional Cancer Centre, Thiruvananthapuram on or after 2015).
“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Kannaur Medical College, Kannaur, Kerala on or after 2015).
“Doctor of Medicine (Paediatrics)”	MD (Paediatrics) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Amala Institute of Medical Sciences, Thrissur, Kerala on or after 2014).
“Master of Surgery (ENT)”	MS (ENT) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at T.D. Medical College, Alappuzha, Kerala on or after 2015).
“Diploma in Laryngology & Otology”	DLO (This shall be a recognised medical qualification when granted by Kerala University of Health

	Sciences, Thrissur, Kerala in respect of students being trained at T.D. Medical College, Alappuzha, Kerala on or after 2015).
“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Academy of Medical Sciences, Pariyaram, Kannaur, Kerala on or after 2015).
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Malankara Orthodox Syrian Church Medical College, Kolenchery on or after 2014).
“Diploma in Ophthalmology”	DMRD (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Pushpagiri Institute of Medical Sciences and Research Centre, Tiruvalla, Kerala on or after 2014).
“Doctor of Medicine (Community Medicine)”	MD (Community Medicine) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences, Thrissur, Kerala in respect of students being trained at Amala Institute of Medical Sciences, Kolenchery, Kerala on or after 2014).

b) against “Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (DVL)”	MD (DVL) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at S. Nijalingappa Medical College & HSK Hospital & Research Centre, Bagalkot, Karnataka on or after 2015).
“Doctor of Medicine (DVL)”	MD (DVL) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at S.S. Institute of Medical Sciences & Research Centre, Davangere, Karnataka on or after 2015).
“Doctor of Medicine (Biochemistry)”	MD (Biochemistry) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of

	students being trained at S.S. Institute of Medical Sciences & Research Centre, Davangere, Karnataka on or after 2015).
“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at S.S. Institute of Medical Sciences & Research Centre, Davangere, Karnataka on or after 2015).
“Doctor of Medicine (Forensic Medicine)”	MD (Forensic Medicine) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at Raichur Institute of Medical Sciences, Raichur, Karnataka on or after 2015).
“Doctor of Medicine (Nephrology)”	MD (Nephrology) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at M.S. Ramaiah Medical College, Bangalore Karnataka on or after 2014).
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at Bidar Institute of Medical Sciences, Bidar, Karnataka on or after 2015).

c) against “Maharashtra University of Health Sciences, Nashik, Maharashtra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (DVL/Skin & VD)”	MD (DVL/Skin & VD) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of the students being trained at Government Medical College, Nagpur, Maharashtra on or after 2013).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra in respect of the students being trained at Government Medical College, Latur, Maharashtra on or after 2013).

d) against “West Bengal University of Health Sciences, Kolkata, West Bengal” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Biochemistry)”	MD (Biochemistry) (This shall be a recognised medical qualification when granted by West Bengal University of Health

	Sciences, Kolkata, West Bengal in respect of the students being trained at Nilratan Sircar Medical College, Kolkata, West Bengal on or after 2016).
“Doctor of Medicine (Pharmacology)”	MD (Pharmacology) (This shall be a recognised medical qualification when granted by West Bengal University of Health Sciences, Kolkata, West Bengal in respect of the students being trained at Medical College, Kolkata, West Bengal on or after 2014).
Doctor of Medicine (Cardiology)”	DM (Cardiology) (This shall be a recognised medical qualification when granted by West Bengal University of Health Sciences, Kolkata, West Bengal in respect of the students being trained at Burdwan Medical College, Burdwan, West Bengal on or after 2015).
e) against “Chettinad Academy of Research and Education (Deemed University), Kanchipuram, Tamil Nadu” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	

(2)	(3)
“Doctor of Medicine (Anatomy)”	MD / MS (Anatomy) (This shall be a recognised medical qualification when granted by Chettinad Academy of Research and Education (Deemed University), Kanchipuram, Tamil Nadu in respect of the students being trained at Chettinad Hospital and Research Institute, Kanchipuram, Tamil Nadu on or after 2014).
“Doctor of Medicine (DVL)”	MD (DVL) (This shall be a recognised medical qualification when granted by Chettinad Academy of Research and Education (Deemed University), Kanchipuram, Tamil Nadu in respect of the students being trained at Chettinad Hospital and Research Institute, Kanchipuram, Tamil Nadu on or after 2014).
f) against “Pondicherry University, Puducherry” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	

(2)	(3)
“Doctor of Medicine (Pharmacology)”	MD (Pharmacology) (This shall be a recognised medical qualification when granted by Pondicherry University, Puducherry in respect of the students being trained at Sri Venkateswaraa Medical College, Hospital & Research Centre, Pondicherry on or after 2015).
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognised medical qualification when granted by Pondicherry University, Puducherry in respect of the students being trained at Sri Venkateswaraa Medical College, Hospital & Research Centre, Pondicherry on or after 2015).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Pondicherry University,

	Puducherry in respect of the students being trained at Sri Venkateswaraa Medical College, Hospital & Research Centre, Pondicherry on or after 2015).
“Doctor of Medicine (Anatomy)”	MD (Anatomy) (This shall be a recognised medical qualification when granted by Pondicherry University, Puducherry in respect of the students being trained at Sri Venkateswaraa Medical College, Hospital & Research Centre, Pondicherry on or after 2015).
“Doctor of Medicine (Biochemistry)”	MD (Biochemistry) (This shall be a recognised medical qualification when granted by Pondicherry University, Puducherry in respect of the students being trained at Sri Venkateswaraa Medical College, Hospital & Research Centre, Pondicherry on or after 2015)
g) against “Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctor of Medicine (DVL)”	MD (DVL) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Katuri Medical College, Guntur, Andhra Pradesh on or after 2014).
“Master of Surgery (Ophthalmology)”	MS (Ophthalmology) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Katuri Medical College, Guntur, Andhra Pradesh on or after 2013).
“Doctor of Medicine (Anaesthesia)”	MD (Anaesthesia) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Katuri Medical College, Guntur, Andhra Pradesh on or after 2012).
“Diploma in Anaesthesia”	DA (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Katuri Medical College, Guntur, Andhra Pradesh on or after 2012).
“Doctor of Medicine (Radio Diagnosis)”	MD (Radio Diagnosis) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Dr. Pinnammaneni Siddhartha Institute of Medical Sciences & Research Foundation, Chinnaoutpalli, Andhra Pradesh on or after 2015).

“Master of Surgery (Ophthalmology)”	MS (Ophthalmology) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Dr. Pinnammaneni Siddhartha Institute of Medical Sciences & Research Foundation, Chinnaoutpalli, Andhra Pradesh on or after 2015).
“Doctor of Osteopathy”	DO (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Dr. Pinnammaneni Siddhartha Institute of Medical Sciences & Research Foundation, Chinnaoutpalli, Andhra Pradesh on or after 2015).
“Doctor of Medicine (Anaesthesiology)”	MD (Anaesthesiology) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Santhiram Medical College, Nandyal, Andhra Pradesh on or after 2015).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Santhiram Medical College, Nandyal, Andhra Pradesh on or after 2015).
“Doctor of Medicine (DVL)”	MD (DVL) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Konaseema Institute of Medical Sciences and Research Foundation, Amalapuram,, Andhra Pradesh on or after 2015).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Shadan Institute of Medical Sciences, Hyderabad on or after 2014).
“Magistrar Chirurgiae (Neurosurgery)”	M.Ch (Neurosurgery) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of the students being trained at Mamata Medical College, Khammam, Andhra Pradesh on or after 2015).

h) against “The Tamil Nadu Dr. MGR Medical University, Chennai, Tamil Nadu” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Transfusion Medicine)”	MD (Transfusion Medicine) (This shall be a recognised medical qualification when granted by The Tamil Nadu Dr. MGR Medical University, Chennai, Tamil Nadu in respect of the students being trained at Christian Medical College, Vellore, Tamil Nadu on or after 2015).
“Doctor of Medicine (Rheumatology)”	DM (Rheumatology) (This shall be a recognised medical qualification when granted by The Tamil Nadu Dr. MGR Medical University, Chennai, Tamil Nadu in respect of the students being trained at Christian Medical College, Vellore, Tamil Nadu on or after 2014).
“Magistrar Chirurgiae (Vascular Surgery)”	M.Ch (Vascular Surgery) (This shall be a recognised medical qualification when granted by The Tamil Nadu Dr. MGR Medical University, Chennai, Tamil Nadu in respect of the students being trained at Christian Medical College, Vellore, Tamil Nadu on or after 2014).
i) against “Dr. Ram Manohar Lohia Avadh University, Faizabad, U.P.” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	

(2)	(3)
“Doctor of Medicine (Anatomy)”	MD (Anatomy) (This shall be a recognised medical qualification when granted by Dr. Ram Manohar Lohia Avadh University, Faizabad, U.P. in respect of the students being trained at Era’s Lucknow Medical College, Uttar Pradesh on or after 2015).
j) against “Sumandeep Vidyapeeth, Vadodara, Gujarat” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	

(2)	(3)
“Diploma in laryngology & Otology”	DLO (This shall be a recognised medical qualification when granted by Sumandeep Vidyapeeth, Vadodara, Gujarat in respect of the students being trained at Smt. B.K. Shah Medical Institute and Research Centre, Vadodara, Gujarat on or after 2015).
k) against “MJP Rohilkhand University, Bareilly, Uttar Pradesh” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	

(2)	(3)
“Doctor of Medicine (Skin & Venereal Diseases)”	(Skin & VD) (This shall be a recognised medical qualification when granted by MJP Rohilkhand University, Bareilly, Uttar Pradesh in respect of the students being trained at Rohilkhand Medical College & Hospital, Bareilly, Uttar Pradesh on or after 2015).

l) against “North-Eastern Hill University, Meghalaya” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (CARDIOLOGY)”	DM (CARDIOLOGY)
	(This shall be a recognised medical qualification when granted by North-Eastern Hill University, Meghalaya in respect of the students being trained at North-Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong Meghalaya on or after 2015).

m) against “Srimanta Shankardeva University of Health Sciences, Guwahati, Assam” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Microbiology)”	MD (Microbiology)
	(This shall be a recognised medical qualification when granted by Srimanta Shankardeva University of Health Sciences, Guwahati, Assam in respect of the students being trained at Silchar Medical College, Silchar, Assam on or after 2015).

n) against “Ch. Charan Singh University, Meerut, U.P.” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Pharmacology)”	MD (Pharmacology)
	(This shall be a recognised medical qualification when granted by Ch. Charan Singh University, Meerut, U.P. in respect of the students being trained at Muzaffarnagar Medical College, Muzaffarnagar, U.P. on or after 2015).

o) against “Guru Gobind Singh Indraprastha University, New Delhi” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Magistrar Chirurgiae (Urology)”	M.Ch (Urology)
	(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, New Delhi in respect of the students being trained at Post Graduate Institute of Medical Education and Research, Dr. RML Hospital, New Delhi on or after 2015).

p) against “Meenakshi University, Chennai, T.N.” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Magistrar Chirurgiae (Urology)”	M.Ch (Urology)
	(This shall be a recognised medical qualification when granted by Meenakshi University, Chennai,

T.N. in respect of the students being trained at Meenakshi Medical College and Research Institute, Enathur, T.N. on or after 2014).

q) against “Datta Meghe Institute of Medical Sciences (Deemed University), Nagpur, Maharashtra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Magistrar Chirurgiae (Cardio Thoracic Surgery)”	M.Ch (Cardio Thoracic Surgery) (This shall be a recognised medical qualification when granted by Datta Meghe Institute of Medical Sciences (Deemed University), Nagpur, Maharashtra in respect of the students being trained at Jawahar Lal Nehru Medical College, Wardha, Maharashtra on or after 2015).

r) against “Devi Ahilya Vishwa Vidyalaya, Indore, Madhya Pradesh” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Magistrar Chirurgiae (Surgical Oncology)”	M.Ch (Surgical Oncology) (This shall be a recognised medical qualification when granted by Devi Ahilya Vishwa Vidyalaya, Indore, Madhya Pradesh in respect of the students being trained at Sri Aurobindo Medical and Post Graduate Institute, Indore, Madhya Pradesh on or after 2015).

s) against “Rajasthan University of Health Sciences, Jaipur, Rajasthan” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Gastroenterology)”	DM (Gastroenterology) (This shall be a recognised medical qualification when granted by Rajasthan University of Health Sciences, Jaipur, Rajasthan in respect of the students being trained at Dr. SN Medical College, Jodhpur, Rajasthan on or after 2014).

t) against “LN Mithila University / Aryabhata Knowledge University, Patna, Bihar” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
DTM & H	DTM & H (This shall be a recognised medical qualification when granted by LN Mithila University / Aryabhata Knowledge University, Patna, Bihar in respect of the students being trained at Darbhanga Medical College, Darbhanga, Bihar on or after 2014).

u) against “Utkal University, Orissa” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (ANAESTHESIA)”	MD (ANAESTHESIA) (This shall be a recognised medical qualification when granted by Utkal University, Orissa in respect of the students being trained at Hi-Tech Medical College & Hospital, Bhubaneshwar, Orissa on or after 2015).
v) against “Ranchi University, Ranchi, Jharkhand” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctor of Medicine (Community Medicine)”	MD (Community Medicine) (This shall be a recognised medical qualification when granted by Ranchi University, Ranchi, Jharkhand in respect of the students being trained at Rajendra Institute of Medical Sciences, Ranchi, Jharkhand on or after 2015).
w) against “Kumaon University, Nainital, Uttarakhand” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctor of Medicine (Anaesthesia)”	MD (Anaesthesia) (This shall be a recognised medical qualification when granted by Kumaon University, Nainital, Uttarakhand in respect of the students being trained at Government Medical College (Prev. Uttarakhand Forest Hospital Trust Med. Col.), Haldwani, Uttarakhand on or after 2014).
x) against “Sambalpur University, Sambalpur, Odisha” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Sambalpur University, Sambalpur, Odisha in respect of the students being trained at VSS Medical College, Burla, Odisha on or after 2014).
y) against “MGM Institute of Health Sciences, Navi Mumbai, Maharashtra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctor of Medicine (Paediatrics)”	MD (Paediatrics) (This shall be a recognised medical qualification when granted by MGM Institute of Health Sciences, Navi Mumbai, Maharashtra in respect of the students being trained at Mahatma Gandhi Mission’s Medical College, Aurangabad Maharashtra on or after 2014).

z) against “Pt. B.D. Sharma University of Health Sciences, Rohtak, Haryana ” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
M.Ch (Cardiac Thoracic Surgery)	M.Ch (Cardiac Thoracic Surgery) (This shall be a recognised medical qualification when granted by Pt. B.D. Sharma University of Health Sciences, Rohtak, Haryana in respect of the students being trained at Pt. B.D. Sharma Post Graduate Institute of Medical Sciences, Rohtak, Haryana on or after 2014).

z2) against “Aryabhatta Knowledge University, Patna, Bihar” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
Doctor of Medicine (Paediatrics)	MD (Paediatrics) (This shall be a recognised medical qualification when granted by Aryabhatta Knowledge University, Patna, Bihar in respect of the students being trained at Jawaharlal Nehru Medical College, Bhagalpur, Bihar on or after 2015).

Note to all : 1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.

2. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U-12012/25/2016-ME-1]

AMIT BISWAS, Under Secy.

नई दिल्ली, 26 मई, 2016

का.आ. 15.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श करके उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:-

उक्त प्रथम अनुसूची में

क) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “एनआईएमएस विश्वविद्यालय (डीम्ड विश्वविद्यालय), जयपुर” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन(फार्माकालोजी)”	एम.डी(फार्माकालोजी) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह नेशनल इंस्टिट्यूट ऑफ मेडिकल साइंस एंड रिसर्च, में प्रशिक्षित किए गए छात्रों के संबंध में 2014 को या बाद में, एन.आई.एम.एस. विश्वविद्यालय (डीम्ड विश्वविद्यालय), जयपुर द्वारा प्रदत्त होगी।)

ख) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय), फरीदकोट, पंजाब” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (रेडियो थेरेपी)”	<p>एम.डी (रेडियो थेरेपी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह गुरु गोविंद सिंह मेडिकल कॉलेज, फरीदकोट, पंजाब में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट, पंजाब द्वारा प्रदत्त होगी।)</p>
“डॉक्टर ऑफ मेडिसिन (कम्युनिटी मेडिसिन)”	<p>एमडी (कम्युनिटी मेडिसिन)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह गुरु गोविंद सिंह मेडिकल कॉलेज, फरीदकोट, पंजाब में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट, पंजाब द्वारा प्रदत्त होगी।)</p>

ग) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय), विजयवाड़ा” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (फिजियॉलोजी)”	<p>एम.डी (फिजियॉलोजी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह जीएसएल मेडिकल कॉलेज, राजमुंदरी, आंध्र प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा द्वारा प्रदत्त होगी।)</p>
“डिप्लोमा इन रेडियो डायग्नोसिस”	<p>डीएमआरडी</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह गांधी मेडिकल कॉलेज, सिकन्द्राबाद, आंध्र प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा द्वारा प्रदत्त होगी।)</p>
“मास्टर ऑफ सर्जरी (ऑर्थोपीडिक्स)”	<p>एमएस (ऑर्थोपीडिक्स)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह कोनासीमा इंस्टिट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च, आंध्र प्रदेश में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा द्वारा प्रदत्त होगी।)</p>

घ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलुरु, कर्नाटक” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

(2)	(3)
“मजिस्ट्रार ऑफ चिरुर्गी (प्लॉस्टिक सर्जरी)”	<p>एमसीएच (प्लॉस्टिक सर्जरी)</p> <p>(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह ए.जे. इंस्टिट्यूट ऑफ मेडिकल साइंसिस, मंगलूर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलुरु, कर्नाटक द्वारा प्रदत्त होगी।)</p>

“डॉक्टर ऑफ मेडिसिन (माइक्रोबायलोजी)”

एम.डी (माइक्रोबायलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह आदिचुन्नगिरि इंस्टिट्यूट ऑफ मेडिकल साइंसिस, बालगंगाधरनाथ नगर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलुरु, कर्नाटक द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन (फारेंसिक मेडिसिन/ फारेंसिक मेडिसिन एंड टॉक्सीकॉलॉजी)”

एम.डी (फारेंसिक मेडिसिन/ फारेंसिक मेडिसिन एंड टॉक्सीकॉलॉजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह शिमोगा इंस्टिट्यूट ऑफ मेडिकल साइंसिस, शिमोगा में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलुरु, कर्नाटक द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन (टयुबरक्यूलोसिस एंड रेस्पिरेटरी डिसिसिज/पल्मोनरी मेडिसिन)”

एम.डी (टयुबरक्यूलोसिस एंड रेस्पिरेटरी डिसिसिज/पल्मोनरी मेडिसिन)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह वैदेही इंस्टिट्यूट ऑफ मेडिकल साइंसिस एंड रिसर्च सेन्टर, बेंगलुरु में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलुरु, कर्नाटक द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन (गेस्ट्रोएंटरॉलोजी)”

डी एम (गेस्ट्रोएंटरॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एम.एस.रामय्या मेडिकल कॉलेज, बेंगलुरु में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलुरु, कर्नाटक द्वारा प्रदत्त होगी।)

ड) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

(2)

(3)

“डॉक्टर ऑफ मेडिसिन (पैथालोजी)”

एम.डी (पैथालोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एम.ई.एस. मेडिकल कॉलेज पेरिंतालमन्ना, जिला मलापुरम में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन (फिजियॉलोजी)”

एम.डी (फिजियॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टी.डी.मेडिकल कॉलेज, अलपुझा में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन (माइक्रोबायलोजी)”

एम.डी (माइक्रोबायलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पुष्पागिरि इंस्टिट्यूट ऑफ मेडिकल साइंसेज एंड रिसर्च में

“डॉक्टर ऑफ मेडिसिन (ट्रांसफ्यूजन मेडिसिन)”

प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर द्वारा प्रदत्त होगी।)

एमडी (ट्रांसफ्यूजन मेडिसिन)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टी.डी.मेडिकल कॉलेज आलपुझा में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर द्वारा प्रदत्त होगी।)

“मास्टर ऑफ सर्जरी (ऑर्थोपीडिक्स)”

एमएस (ऑर्थोपीडिक्स)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एम.ई.एस. मेडिकल कॉलेज पेरिंतालमन्ना, जिला मलापुरम में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (ऑब्स्टेट्रिक्स एंड गॉयनेकॉलोजी)”

एम.डी/एमएस (ओबीसी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एम.ई.एस. मेडिकल कॉलेज पेरिंतालमन्ना, जिला मलापुरम में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन (रेडियो डायग्नोसिस)”

एमडी (रेडियो डायग्नोसिस)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टी.डी.मेडिकल कॉलेज आलपुझा में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में केरल स्वास्थ्य विज्ञान विश्वविद्यालय एंड रिसर्च फाउंडेशन सेन्टर अस्पताल, तृशूर द्वारा प्रदत्त होगी।)

च) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “श्री बालाजी विद्यापीठ विश्वविद्यालय, पुदुच्चेरी” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)

(3)

“डिप्लोमा इन साइकिएट्री”

डीपीएम

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह महात्मा गांधी मेडिकल कॉलेज एंड रिसर्च इंस्टिट्यूट, पुदुच्चेरी में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में श्री बालाजी विद्यापीठ विश्वविद्यालय, पुदुच्चेरी द्वारा प्रदत्त होगी।)

छ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “उत्कल विश्वविद्यालय, भुवनेश्वर, ओडिशा” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)

(3)

“डॉक्टर ऑफ मेडिसिन (पैथालोजी)”

एमडी (पैथालोजी)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह हाई-टेक मेडिकल कॉलेज एंड अस्पताल, भुवनेश्वर, ओडिशा में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में उत्कल विश्वविद्यालय, भुवनेश्वर, ओडिशा द्वारा प्रदत्त होगी।)

“डॉक्टर ऑफ मेडिसिन (माइक्रोबायलोजी)”

एमडी (माइक्रोबायलोजी)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह हाई-टेक मेडिकल कॉलेज एंड अस्पताल, भुवनेश्वर, ओडिशा में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में उत्कल विश्वविद्यालय, भुवनेश्वर, ओडिशा द्वारा प्रदत्त होगी।)

ज) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)

(3)

“डॉक्टर ऑफ मेडिसिन (बायोकेमिस्ट्री)”

एमडी (बायोकेमिस्ट्री)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह डॉ.एस.एन. मेडिकल कॉलेज, जयपुर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर द्वारा प्रदत्त होगी।)

झ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “बी.एन.मंडल विश्वविद्यालय, बिहार” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)

(3)

“मास्टर ऑफ सर्जरी (जनरल सर्जरी)”

एमएस (जनरल सर्जरी)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह कटिहार मेडिकल कॉलेज, कटिहार में प्रशिक्षित किए गए छात्रों के संबंध में 2012 को या बाद में बी.एन.मंडल विश्वविद्यालय, बिहार द्वारा प्रदत्त होगी।)

ञ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “मणिपाल विश्वविद्यालय, मणिपाल” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)

(3)

“डॉक्टरेट ऑफ मेडिसिन (नेफ्रालोजी)”

डीएम (नेफ्रालोजी)”

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह कस्तूरबा मेडिकल कॉलेज, मणिपाल में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में मणिपाल विश्वविद्यालय, मणिपाल द्वारा प्रदत्त होगी।)

ट) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “जेएसएस विश्वविद्यालय, मैसूर” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

(2)	(3)
“डॉक्टर ऑफ सर्जरी (न्यूरोलोजी)”	डीएम (न्यूरोलोजी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह जेएसएस मेडिकल कॉलेज, मैसूर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में जेएसएस विश्वविद्यालय, मैसूर द्वारा प्रदत्त होगी।)
“मजिस्ट्रार ऑफ चिरूर्गी (यूरोलोजी)”	एमसीएच (यूरोलोजी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह जेएसएस मेडिकल कॉलेज, मैसूर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में जेएसएस विश्वविद्यालय, मैसूर द्वारा प्रदत्त होगी।)
“डॉक्टर ऑफ मेडिसिन (मेडिकल गेस्ट्रोएंटरॉलोजी)”	डीएम (मेडिकल गेस्ट्रोएंटरॉलोजी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह जेएसएस मेडिकल कॉलेज, मैसूर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में जेएसएस विश्वविद्यालय, मैसूर द्वारा प्रदत्त होगी।)

ठ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “देवी अहिल्या विश्वविद्यालय, इंदौर” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (बायोकैमिस्ट्री)”	एमडी (बायोकैमिस्ट्री)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह इंडेक्स मेडिकल कॉलेज अस्पताल एंड रिसर्च सेन्टर, इंदौर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में देवी अहिल्या विश्वविद्यालय, इंदौर द्वारा प्रदत्त होगी।)
“डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलोजी)”	एमडी (माइक्रोबायोलोजी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह इंडेक्स मेडिकल कॉलेज अस्पताल एंड रिसर्च सेन्टर, इंदौर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में देवी अहिल्या विश्वविद्यालय, इंदौर द्वारा प्रदत्त होगी।)
“डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (अनाटमी)”	एमडीएमएस (अनाटमी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह इंडेक्स मेडिकल कॉलेज अस्पताल एंड रिसर्च सेन्टर, इंदौर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में देवी अहिल्या विश्वविद्यालय, इंदौर द्वारा प्रदत्त होगी।)

ड) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] “होमी भाभा विश्वविद्यालय, मुंबई” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन(गेस्ट्रोएंटरॉलोजी)”	डीएम (गेस्ट्रोएंटरॉलोजी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह टाटा मेमोरियल अस्पताल, मुंबई में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में होमी भाभा विश्वविद्यालय, मुंबई द्वारा प्रदत्त होगी।)
<p>ढ) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’शीर्षक के अधीन[जिसे इसके आगे कालम(2) कहा गया है] “श्री वेंकटेश्वरा इंस्टिट्यूट मेडिकल साइंस(डीम्ड विश्वविद्यालय) तिरुपति” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-</p>	
(2)	(3)
“डॉक्टर ऑफ मेडिसिन(रेडियोथेरेपी)”	एमडी (रेडियोथेरेपी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह श्री वेंकटेश्वरा इंस्टिट्यूट मेडिकल साइंस, तिरुपति में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में श्री वेंकटेश्वरा इंस्टिट्यूट मेडिकल साइंस (डीम्ड विश्वविद्यालय) तिरुपति द्वारा प्रदत्त होगी।)
<p>ण) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’शीर्षक के अधीन[जिसे इसके आगे कालम(2) कहा गया है] “एमजीएम इंस्टिट्यूट ऑफ हैल्थ साइंस नवी मुंबई” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-</p>	
(2)	(3)
“मजिस्ट्रार चिरुर्गी(कॉर्डियो थोरेसिस एंड वेस्कुलर सर्जरी)”	एमसीएच(कॉर्डियो थोरेसिस एंड वेस्कुलर सर्जरी)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह एमजीएम मिशनस मेडिकल कॉलेज, नवी मुंबई में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में एमजीएम इंस्टिट्यूट ऑफ हैल्थ साइंस, नवी मुंबई द्वारा प्रदत्त होगी।)
<p>त) ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’शीर्षक के अधीन[जिसे इसके आगे कालम(2) कहा गया है] “महाराष्ट्र इंस्टिट्यूट ऑफ हैल्थ साइंस, नासिक” के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम(3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात्:-</p>	
(2)	(3)
“डॉक्टर ऑफ मेडिसिन(जनरल मेडिसिन)”	एमडी (जनरल मेडिसिन)”
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह महाराष्ट्र इंस्टिट्यूट ऑफ मेडिकल साइंस एंड रिसर्च, लातूर में प्रशिक्षित किए गए छात्रों के संबंध में 2015 को या बाद में महाराष्ट्र इंस्टिट्यूट ऑफ हैल्थ साइंस, नासिक द्वारा प्रदत्त होगी।)

[सं. यू-12012/25/2016-एमई-1 (पार्ट II)]

अमित बिस्वास, अवर सचिव

New Delhi, the 26th May, 2016

S.O. 15.—In exercise of the powers conferred by sub-section(2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said Schedule –

a) against “NIMS University (Deemed University), Jaipur” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Pharmacology)”	MD (Pharmacology) (This shall be a recognised medical qualification when granted by NIMS University (Deemed University), Jaipur in respect of students being trained at National Institute of Medical Science & Research on or after 2014).

b) against “Baba Farid University of Health Sciences, Faridkot, Punjab” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Radiotherapy)”	MD (Radiotherapy) (This shall be a recognised medical qualification when granted by Baba Farid University of Health Sciences, Faridkot, Punjab in respect of students being trained at Guru Govind Singh Medical College, Faridkot, Punjab on or after 2015).
“Doctor of Medicine (Community Medicine)”	MD (Community Medicine) (This shall be a recognised medical qualification when granted by Baba Farid University of Health Sciences, Faridkot, Punjab in respect of students being trained at Guru Govind Singh Medical College, Faridkot, Punjab on or after 2015).

c) against “Dr. NTR University of Health Sciences, Vijayawada” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of students being trained at GSL Medical College, Rajahmundry, Andhra Pradesh on or after 2015).
“Diploma in Radio-Diagnosis”	DMRD (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of students being trained at Gandhi Medical College, Secunderabad, Andhra Pradesh on or after 2015).
“Master of Surgery (Orthopaedics)”	MS (Orthopaedics) (This shall be a recognised medical qualification when granted by Dr. NTR University of Health Sciences, Vijayawada, Andhra Pradesh in respect of students being trained at Konaseema Institute of Medical Sciences & Research Foundation, Amalapuram Andhra Pradesh on or after 2015).

d) against “Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Magistrar Chirurgiae (Plastic Surgery)”	M.Ch. (Plastic Surgery) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at A. J. Institute of Medical Sciences, Mangalore on or after 2015).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at Adichunchanagiri Institute of Medical Sciences, Balagangadharanath Nagar on or after 2015).
“Doctor of Medicine (Forensic Medicine/ Forensic Medicine & Toxicology)”	MD (Forensic Medicine/ Forensic Medicine & Toxicology) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at Shimoga Institute of Medical Sciences, Shimoga on or after 2015).
“Doctor of Medicine (Tuberculosis & Respiratory Diseases/ Pulmonary Medicine)”	MD (Tuberculosis & Respiratory Diseases/ Pulmonary Medicine) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at Vydehi Institute of Medical Sciences & Research Centre, Bangalore on or after 2015).
“Doctorate of Medicine (Gastroenterology)”	DM (Gastroenterology) (This shall be a recognised medical qualification when granted by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka in respect of students being trained at M S Ramaiah Medical College, Bangalore on or after 2015).

e) against “Kerala University of Health Sciences & Research Foundation Centre Hospital, Thrissur” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences & Research Foundation Centre Hospital, Thrissur in respect of students being trained at M E S Medical College, Perintalmanna, Malappuram Distt. on or after 2015).
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences &

	Research Foundation Centre Hospital, Thrissur in respect of students being trained at T. D. Medical College, Alappuzha on or after 2015).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences & Research Foundation Centre Hospital, Thrissur in respect of students being trained at Pushpagiri Institute of Medical Sciences & Research on or after 2015).
“Doctor of Medicine (Transfusion Medicine)”	MD (Transfusion Medicine) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences & Research Foundation Centre Hospital, Thrissur in respect of students being trained at T. D. Medical College, Alappuzha on or after 2015).
“Master of Surgery (Orthopaedics)”	MS (Orthopaedics) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences & Research Foundation Centre Hospital, Thrissur in respect of students being trained at M E S Medical College, Perintalmanna, Malappuram Distt. on or after 2015).
“Doctor of Medicine/ Master of Surgery (Obstetrics and Gynecology)”	MD/ MS (OBG) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences & Research Foundation Centre Hospital, Thrissur in respect of students being trained at M E S Medical College, Perintalmanna, Malappuram Distt. on or after 2015).
“Doctor of Medicine (Radiodiagnosis)”	MD (Radiodiagnosis) (This shall be a recognised medical qualification when granted by Kerala University of Health Sciences & Research Foundation Centre Hospital, Thrissur in respect of students being trained at T. D. Medical College, Alappuzha on or after 2015).
f) against “Sri Balaji Vidyapeeth University, Puducherry” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Diploma in Psychiatry”	DPM (This shall be a recognised medical qualification when granted by Sri Balaji Vidyapeeth University, Puducherry in respect of the students being trained at Mahatama Gandhi Medical College & Research Institute, Pondicherry on or after 2013).
g) against “Utkal University, Bhubaneshwar, Orissa” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	

(2)	(3)
“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognised medical qualification when granted by Utkal University, Bhubaneswar, Orissa in respect of students being trained at High-Tech Medical College & Hospital, Bhubaneswar on or after 2015).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Utkal University, Bhubaneswar, Orissa in respect of students being trained at High-Tech Medical College & Hospital, Bhubaneswar on or after 2015).
h) against “Rajasthan University of Health Sciences, Jaipur” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctor of Medicine (Biochemistry)”	MD (Biochemistry) (This shall be a recognised medical qualification when granted by Rajasthan University of Health Sciences, Jaipur in respect of students being trained at Dr. S. N. Medical College, Jaipur on or after 2015).
i) against “B. N. Mandal University, Bihar” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognised medical qualification when granted by B. N. Mandal University, Bihar in respect of students being trained at Kathiyar Medical College, Kathiar on or after 2012).
j) against “Manipal University, Manipal” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctorate of Medicine (Nephrology)”	DM (Nephrology) (This shall be a recognised medical qualification when granted by Manipal University, Manipal in respect of students being trained at Kasturba Medical College, Manipal on or after 2015).
k) against “JSS University, Mysore” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
(2)	(3)
“Doctorate of Medicine (Neurology)”	DM (Neurology) (This shall be a recognised medical qualification when granted by JSS University, Mysore in respect of students being trained at JSS Medical College, Mysore on or after 2015).

“Magistrar Chirurgiae (Urology)”	M.Ch.(Urology) (This shall be a recognised medical qualification when granted by JSS University, Mysore in respect of students being trained at JSS Medical College, Mysore on or after 2015).
“Doctorate of Medicine (Medical Gastroenterology)”	DM (Medical Gastroenterology) (This shall be a recognised medical qualification when granted by JSS University, Mysore in respect of students being trained at JSS Medical College, Mysore on or after 2015).

l) against “Devi Ahilya Vishwa Vidyalaya, Indore” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Biochemistry)”	MD (Biochemistry) (This shall be a recognised medical qualification when granted by Devi Ahilya Vishwa Vidyalaya, Indore in respect of students being trained at Index Medical College Hospital & Research Centre, Indore on or after 2015).
“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognised medical qualification when granted by Devi Ahilya Vishwa Vidyalaya, Indore in respect of students being trained at Index Medical College Hospital & Research Centre, Indore on or after 2015).
“Doctor of Medicine/ Master of Surgery (Anatomy)”	MD/ MS (Anatomy) (This shall be a recognised medical qualification when granted by Devi Ahilya Vishwa Vidyalaya, Indore in respect of students being trained at Index Medical College Hospital & Research Centre, Indore on or after 2015).

m) against “Homi Bhabha, University, Mumbai” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctorate of Medicine (Gastroenterology)”	DM (Gastroenterology) (This shall be a recognised medical qualification when granted by Homi Bhabha, University, Mumbai in respect of students being trained at Tata Memorial Hospital, Mumbai on or after 2015).

n) against “Sri Venkateshwra Institute of Medical Sciences (Deemed University), Tirupati” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (Radiotherapy)”	MD (Radiotherapy) (This shall be a recognised medical qualification when granted by Sri Venkateshwra Institute of Medical Sciences (Deemed University), Tirupati in respect of

students being trained at Sri Venkateshwra Institute of Medical Sciences, Tirupati on or after 2015).

o) against “MGM Institute of Health Sciences, Navi Mumbai” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Magistrar Chirurgiae (Cardio Thoracic & Vascular Surgery)”	M.Ch.(Cardio Thoracic & Vascular Surgery) (This shall be a recognised medical qualification when granted by MGM Institute of Health Sciences, Navi Mumbai in respect of students being trained at MGM Mission’s Medical College, Navi Mumbai on or after 2015).

p) against “Maharashtra Institute of Health Sciences, Nashik” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine (General Medicine)”	MD (General Medicine) (This shall be a recognised medical qualification when granted by Maharashtra Institute of Health Sciences, Nashik in respect of students being trained at Maharashtra Institute of Medical Sciences & Research, Latur on or after 2015).

[No. U-12012/25/2016-ME-1(Pt.)]

AMIT BISWAS, Under Secy.

नई दिल्ली, 31 अगस्त, 2016

का.आ. 16.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श करके उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है अर्थात:-

उक्त प्रथम अनुसूची में “बरकतउल्लाह विश्वविद्यालय भोपाल मध्य प्रदेश” और प्रविष्टियों के बाद “पीपल्स विश्वविद्यालय मध्य प्रदेश” जोड़ा जाएगा ‘और मान्यता प्राप्त आयुर्विज्ञान अर्हता’ शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] के सामने अंतिम प्रविष्टि के पश्चात और ‘पंजीकरण के लिए संक्षिप्तिकरण’ [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात:-

(2)	(3)
“डॉक्टर ऑफ मेडिसिन (ऐनिस्थीशियॉलोजी)	एम.डी.(ऐनिस्थीशियॉलोजी) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 1 छात्र के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

“डॉक्टर ऑफ मेडिसिन (बायोकेमिस्ट्री)

एम.डी.(बायोकेमिस्ट्री)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 2 छात्रों के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

“डॉक्टर ऑफ मेडिसिन (डर्मेटोलोजी, वेनरोलोजी एंड लेप्रसी)

एम.डी.(डीवीएल)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 2 छात्रों के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

डॉक्टर ऑफ मेडिसिन (माइक्रोबायोलोजी)

एम.डी.(माइक्रोबायोलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 3 छात्रों के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

डॉक्टर ऑफ मेडिसिन (पैथॉलोजी)

एम.डी.(पैथॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 2 छात्रों के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

डॉक्टर ऑफ मेडिसिन (फार्माकालोजी)

एम.डी.(फार्माकालोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 2 छात्रों के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

डॉक्टर ऑफ मेडिसिन (फिज़ियॉलोजी)

एम.डी.(फिज़ियॉलोजी)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 2 छात्रों के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

डॉक्टर ऑफ मेडिसिन (साइकिएट्री)

एम.डी.(साइकिएट्री)

(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 1 छात्र के संबंध में, पीपल्स विश्वविद्यालय, मध्य प्रदेश द्वारा प्रदत्त होगी।

डॉक्टर ऑफ मेडिसिन (सोशल एंड प्रिवेन्टिव मेडिसिन/कम्युनिटी मेडिसिन)	एम.डी.(सोशल एंड प्रिवेन्टिव मेडिसिन/कम्युनिटी मेडिसिन) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 4 छात्रों के संबंध में, पीपल्स विश्वविद्यालय. मध्य प्रदेश द्वारा प्रदत्त होगी।
“डॉक्टर ऑफ मेडिसिन(ट्युबरक्युलोसिस एंड रेस्पिरैटरी डिसिसिज/पल्मोनरी मेडिसिन)”	एम.डी.(टीबी एंड रेस्पिरैटरी डिसिसिज/पल्मोनरी मेडिसिन) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 1 छात्र के संबंध में, पीपल्स विश्वविद्यालय. मध्य प्रदेश द्वारा प्रदत्त होगी।
डॉक्टर ऑफ मेडिसिन (अनाटमी)/मास्टर ऑफ सर्जरी (अनाटमी)	एम.डी/एम.एस.(अनाटमी) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 2 छात्रों के संबंध में, पीपल्स विश्वविद्यालय. मध्य प्रदेश द्वारा प्रदत्त होगी।
मास्टर ऑफ सर्जरी (ओटोरहिनेनोलेरिंगोलोजी)	एम.डी/एम.एस.(ओटोरहिनेनोलेरिंगोलोजी) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 2 छात्रों के संबंध में, पीपल्स विश्वविद्यालय. मध्य प्रदेश द्वारा प्रदत्त होगी।
मास्टर ऑफ सर्जरी (जनरल सर्जरी)	एम.एस.(जनरल सर्जरी) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 4 छात्रों के संबंध में, पीपल्स विश्वविद्यालय. मध्य प्रदेश द्वारा प्रदत्त होगी।
मास्टर ऑफ सर्जरी (ऑर्थोपीडिक्स)	एम.एस.(ऑर्थोपीडिक्स) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह पीपल्स कॉलेज ऑफ मेडिकल साइंसिस एंड रिसर्च सेंटर, भानपुर, भोपाल में प्रशिक्षित किए गए छात्रों के संबंध में जून, 2014 को या बाद में 1 छात्र के संबंध में, पीपल्स विश्वविद्यालय. मध्य प्रदेश द्वारा प्रदत्त होगी।

- नोट :**
1. स्नात्कोत्तर कोर्स को दी गई ऐसी मान्यता अधिकतम 5 वर्ष के लिए होगी और उसके बाद इसका नवीकरण करवाना होगा ।
 2. मान्यता के 'नवीकरण' की प्रक्रिया वही होगी जो मान्यता प्रदान करने के लिए लागू होती है ।
 3. यथा-अपेक्षित मान्यता का समय से नवीकरण करवाने में विफल रहने पर, परिणामस्वरूप, निरपवाद रूप से, उक्त संस्थान/मेडिकल कालेज में संबंधित स्नात्कोत्तर कोर्स में प्रवेश बंद हो जाएगा ।

[सं. यू-12012/330/2015-एमई-1]

डी. वी. के. राव, अवर सचिव

New Delhi, the 31st August, 2016

S.O. 16.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956(102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change in name of affiliating University namely:-

In the said First Schedule before “Barkatulla University, Bhopal, Madhya Pradesh” and entries thereto “People’s University, Madhya Pradesh” shall be added and against “People’s University, Madhya Pradesh” under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)] after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
“Doctor of Medicine(Anaesthesiology)	MD(Anaesthesiology) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 1 student being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Biochemistry)	MD(Biochemistry) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine (Dermatology, Venerology & Leprosy)	MD(DVL) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Microbiology)	MD(Microbiology) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 3 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Pathology)	MD(Pathology) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine (Pharmacology)	MD(Pharmacology) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Physiology)	MD(Physiology) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Psychiatry)	MD(Psychiatry) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).

	Pradesh” in respect of 1 student being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Social & Preventive Medicine/Community Medicine)	MD(Social & Preventive Medicine/Community Medicine) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 4 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Tuberculosis & Respiratory Diseases/Pulmonary Medicine)	MD(Tuberculosis & Respiratory Diseases/Pulmonary Medicine) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 1 student being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Doctor of Medicine(Anatomy)/ Master of Surgery(Anatomy)	MD/ MS(Anatomy) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Master of Surgery(Otorhinolaryngology)	MS(ENT) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 2 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Master of Surgery(General Surgery)	MS(General Surgery) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 4 students being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).
Master of Surgery(Orthopaedics)	MS(Orthopaedics) (This shall be a recognized medical qualification when granted by “People’s University, Madhya Pradesh” in respect of 1 student being trained at People’s College of Medical Sciences & Research Centre, Bhanpur, Bhopal on or after June 2014).

- Note:**
1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
 2. The procedure for ‘Renewal’ of recognition shall be same as applicable for the award of recognition.
 3. Failure to seek timely renewal of recognition as required shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U.12012/330/2015-ME.I]

D. V. K. RAO, Under Secy.

नई दिल्ली, 30 सितम्बर, 2016

का.आ. 17.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार, भारतीय आयुर्विज्ञान परिषद से परामर्श करके उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है अर्थात:-

उक्त प्रथम अनुसूची में 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' शीर्षक के अधीन [जिसे इसके आगे कालम (2) कहा गया है] "कलकत्ता विश्वविद्यालय" के सामने अंतिम प्रविष्टि के पश्चात और 'पंजीकरण के लिए संक्षिप्तिकरण' [जिसे इसके आगे कालम (3) कहा गया है] से संबंधित प्रविष्टि के संबंध में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात:-

(2)	(3)
"डिप्लोमा इन गायनिकॉलोजी एंड ऑब्स्टेट्रिक्स"	डीजीओ
	(यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी जब यह चितरंजन सेवासदन कॉलेज ऑफ ऑब्स्टेट्रिक्स, गायनिकॉलोजी एंड चाइल्ड हेल्थ एंड अस्पताल, कोलकाता में प्रशिक्षित किए गए छात्रों के संबंध में 31.12.1999 तक कलकत्ता विश्वविद्यालय द्वारा प्रदत्त होगी।)

- नोट :**
1. स्नात्कोत्तर कोर्स को दी गई ऐसी मान्यता अधिकतम 5 वर्ष के लिए होगी और उसके बाद इसका नवीकरण करवाना होगा।
 2. मान्यता के 'नवीकरण' की प्रक्रिया वही होगी जो मान्यता प्रदान करने के लिए लागू होती है।
 3. मान्यता का समय से नवीकरण करवाने में विफल रहने पर, परिणामस्वरूप, संबंधित स्नात्कोत्तर कोर्स में प्रवेश निरपवाद रूप से बंद हो जाएगा।

[सं. यू-12011/02/2016-एमई.1]

डी. वी. के. राव, अवर सचिव

New Delhi, the 30th September, 2016

S.O. 17.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956(102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:-

In the said First Schedule against "Calcutta University" under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)] after the last entry and entry relating thereto under the heading 'Abbreviation for Registration'[hereinafter referred to as column (3)], the following shall be inserted, namely:-

(2)	(3)
"Diploma in Gynaecology and Obstetrics"	DGO
	(This shall be a recognized medical qualification when granted by Calcutta University in respect of students trained at Chittaranjan Sevasadan College of Obstetrics, Gynaecology and Child Health and Hospital, Kolkata upto 31.12.1999.

- Note:**
1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
 2. The procedure for 'Renewal' of recognition shall be same as applicable for the award of recognition.
 3. Failure to seek timely renewal of recognition as required shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U-12011/02/2016-ME.I]

D. V. K. RAO, Under Secy.

कोयला मंत्रालय

नई दिल्ली, 29 दिसम्बर, 2016

का.आ. 18.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का.आ. 2342(अ), तारीख 8 जुलाई, 2016 जो भारत के राजपत्र, भाग II, खंड 3, उप-खंड (ii), तारीख 11 जुलाई, 2016 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की 68.000 हेक्टेयर (लगभग) या 168.028 एकड़ (लगभग) भूमि में या उस पर के सभी अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार को पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और छत्तीसगढ़ सरकार से पुनः परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 68.000 हेक्टेयर (लगभग) या 168.028 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार अर्जित किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 68.000 हेक्टेयर (लगभग) या 168.028 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अंतर्गत आने वाले रेखांक संख्या एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/500, तारीख 29 अगस्त, 2016 का निरीक्षण कलेक्टर, जिला रायगढ़ (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700 001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495 006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

अनुसूची**बरौद वाशरी, रायगढ़ क्षेत्र****जिला रायगढ़ (छत्तीसगढ़)**

(रेखांक संख्या एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/500, तारीख 29 अगस्त, 2016)

सभी अधिकार:

क्र. सं.	ग्राम का नाम	पटवारी हल्का संख्यांक	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पणियां
1.	फगुरम	4	घरघोड़ा	रायगढ़	68.000	भाग
कुल : 68.000 हेक्टेयर (लगभग) या 168.028 एकड़ (लगभग)						

1. ग्राम फगुरम (भाग) में अर्जित किए गए प्लॉट संख्या: 646/1(भाग), 647, 648, 648/1क, 648/1ख, 648/1ड., 648/1छ, 648/1ज, 648/2 से 648/8, 649/1, 649/2, 650 से 652, 653/1, 653/2, 654, 655, 656/1, 656/2, 656/3, 657/3, 658/1क, 658/1ख, 658/1ग, 658/2, 659, 660/1क(भाग), 685, 695/1, 766/1, 766/2, 766/3, 766/4, 767, 768.

सीमा वर्णन:

क-ख रेखा, बिन्दु 'क' से आरंभ होती है और ग्राम फगुरम के प्लॉट संख्या 646/1क से होती हुई और बिन्दु 'ख' पर मिलती है।

ख-ग रेखा, बिन्दु 'ख' से आरंभ होती है और ग्राम फगुरम के प्लॉट संख्या 646/1क, 648/1क, प्लॉट संख्या 657/3 के पश्चिमी सीमा, 660/1क से होती हुई और बिन्दु 'ग' पर मिलती है।

- [फा.सं. 43015/4/2016-पीआरआईडब्ल्यू-I]

Sl. No.	Name of village	Patwari halka number	Tahsil	District	Area in hectares	Remarks
1.	Phaguram	4	Gharghora	Raigarh	68.000	Part
Total: 68.000 hectares (approximately) or 168.028 acres (approximately)						

1. Plot numbers acquired in village Phaguram (Part): 646/1(P), 647, 648, 648/1ka, 648/1kha, 648/1anga, 648/1chha, 648/1ja, 648/2 to 648/8, 649/1, 649/2, 650 to 652, 653/1, 653/2, 654, 655, 656/1, 656/2, 656/3, 657/3, 658/1ka, 658/1kha, 658/1ga, 658/2, 659, 660/1ka(P), 685, 695/1, 766/1, 766/2, 766/3, 766/4, 767, 768.

Boundary Description:

- A-B Line starts from point 'A' and passes in village Phaguram through plot number 646/1ka and meets at point 'B'.
- B-C Line starts from point 'B' and passes in village Phaguram through plot number 646/1ka, 648/1ka, along the western boundary of plot number 657/3, through 660/1ka and meets at point 'C'.
- C-D Line starts from point 'C' and passes in village Phaguram along the northern boundary of plot numbers 660/1ka, 659, 658/ka, 658/2, 648/1ka, 685, 648/1ka, 695/1, 648/1kha, eastern boundary of plot numbers 648/1kha, 648/1ka, 766/1, 767 and meets at point 'D'.
- D-E Line starts from point 'D' and passes in village Phaguram along the eastern boundary of plot numbers 767, 768, 648/1ka, 647, southern boundary of plot numbers 648/1ka, 646/1ka and meets at point 'E'.
- E-F Line starts from point 'E' and passes in village Phaguram through plot number 646/1ka and meets at point 'F'.
- F-A Line starts from point 'F' and passes in village Phaguram through plot number 646/1ka and meets at starting point 'A'.

[F. No. 43015/ 4/ 2016-PRIW-I]

H. M. MEENA, Dy. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(खाद्य और सार्वजनिक वितरण विभाग)

नई दिल्ली, 3 जनवरी, 2017

का.आ. 19.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय (खाद्य और सार्वजनिक वितरण विभाग) के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय, जिसके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को राजपत्र में अधिसूचित करती है :

1. भारतीय खाद्य निगम,
जिला कार्यालय, केआरपीजी कॉम्प्लेक्स,
विजिनापुरा, दूरवाणीनगर,
बेंगलुरु-560016

[सं. ई-11011/1/2008-हिन्दी]

टी. के. मनोज कुमार, संयुक्त सचिव

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Food and Public Distribution)

New Delhi, the 3rd January, 2017

S.O. 19.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following office under the administrative control of the Ministry of Consumer Affairs, Food and Public Distribution (Deptt. of Food and Public Distribution), whereof more than 80% of staff have acquired the working knowledge of Hindi :

1. Food Corporation
District Office, KRPG Complex,
vijinapura, Doorvaninagar,
Bangalore-560016

[No. E-11011/1/2008-Hindi]

T. K. MANOJ KUMAR, Jt. Secy.

वाणिज्य एवं उद्योग मंत्रालय**(वाणिज्य विभाग)**

नई दिल्ली, 4 जनवरी, 2017

का.आ. 20.—केन्द्रीय सरकार, निर्यात (गुणवत्ता नियंत्रण एवं निरीक्षण) नियम, 1964 के नियम 12, के उपनियम (2) के साथ पठित, निर्यात (गुणवत्ता नियंत्रण एवं निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एसजीएस इंडिया प्राइवेट लिमिटेड, 4बी, आदि शंकराचार्य मार्ग, पोवई रोड, विक्रोली पश्चिम, मुंबई, महाराष्ट्र-400083, को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का.आ. 3975, तारीख 20 दिसम्बर, 1965 की अनुसूची में विनिर्दिष्ट खनिज और अयस्क समूह-I, अर्थात् बॉक्साइट अयस्क के निर्यात से पूर्व निम्नलिखित शर्तों के अधीन जयगढ़ पत्तन, दिघी पत्तन, धर्मतार पत्तन तथा अंगरे पत्तन पर उक्त खनिजों और अयस्कों का निरीक्षण करने के लिए एक अभिकरण के रूप में मान्यता देती है, अर्थात्:-

- (i) मैसर्स एसजीएस इंडिया प्राइवेट लिमिटेड, 4बी, आदि शंकराचार्य मार्ग, पोवई रोड, विक्रोली पश्चिम, मुंबई, महाराष्ट्र-400083 खनिज और अयस्क समूह-I का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अधीन विनिर्दिष्ट निरीक्षण का कार्यान्वयन करने के लिये उनके द्वारा अपनाई गई विधि की जांच करने के लिये निर्यात निरीक्षण परिषद् द्वारा नामित अधिकारियों को पर्याप्त सुविधाएं देगी; और
- (ii) मैसर्स एसजीएस इंडिया प्राइवेट लिमिटेड, 4बी, आदि शंकराचार्य मार्ग, पोवई रोड, विक्रोली पश्चिम, मुंबई, महाराष्ट्र-400083, इस अधिसूचना के अधीन अपने कार्यों के निष्पादन में निदेशक (निरीक्षण और गुणवत्ता नियंत्रण), निर्यात निरीक्षण परिषद् द्वारा समय-समय पर लिखित रूप में दिए गए ऐसे निर्देशों से आबद्ध होगी।

[फा.सं. 4/14/2016 - निर्यात निरीक्षण]

संतोष कुमार सारंगी, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY**(Department of Commerce)**

New Delhi, the 4th January, 2017

S.O. 20.—In exercise of the powers conferred by the sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), read with sub-rule (2) of rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognizes M/s. SGS India Private Ltd. 4B, Adi Shankarachary Marg, Powai Road, Vikhoroli(W), Mumbai-400083, as an agency for a period of three years with effect the date of publication of this notification, for the inspection of Minerals and Ores Group-I namely, Bauxite Ore as specified in the Schedule to the notification of the Government of India in the Ministry of Commerce number S.O. 3975 dated the 20 December 1965, prior to export of said Minerals and Ores at Jaigarh Port, Dighi Port, Dharamtar Port and Angre Port, subject to the following conditions, namely: -

- (i) M/s. SGS India Private Ltd. 4B, Adi Shankarachary Marg, Powai Road, Vikhoroli(W), Mumbai-400083, shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to carry out the inspection specified under rule 4 of the Export of Minerals and Ores - Group I (Inspection) Rules, 1965;
- (ii) M/s. SGS India Private Ltd. 4B, Adi Shankarachary Marg, Powai Road, Vikhoroli(W), Mumbai-400083, in the performance of their function under this notification shall be bound by such directions as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F. No. 4/14/2016-Export Inspection]

SANTOSH KUMAR SARANGI, Jt. Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 21.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स एयरपोर्ट अथॉरिटी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-1, नई दिल्ली के पंचाट (संदर्भ संख्या 39/2014) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-11011/19/2013-आईआर (एम)]

राजेश कुमार, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 28th December, 2016

S.O. 21.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 39/2014) of the Central Government Industrial Tribunal/Labour Court-1, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Airport Authority of India and their workman, which was received by the Central Government on 21.12.2016.

[No. L-11011/19/2013-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE

IN THE COURT OF SHRI AVTAR CHAND DOGRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, KARKARDOOMA COURT COMPLEX, DELHI

ID No. 39/2014

The General Secretary,
Indian Airport Kamgar Union,
Quarter No.B-173, Pocket A, INA Colony,
New Delhi – 110 023

...Workman

Versus

The Chairman,
Airport Authority of India Rajiv Gandhi Bhawan,
Safdarjung Airport,
New Delhi – 110 003

...Management

AWARD

A reference was received from Government of India, Ministry of Labour and Employment vide letter No. L-11011/19/2013-IR(M) dated 19.02.2014 under clause (d) of sub-section (1) and sub-Section 2(A) of Section of the Industrial Disputes Act, 1947 (in short the ID Act) for adjudication, terms of which are as under:

“Whether the action of the management of Airport Authority of India in making compulsory retirement of employees on the basis of AAI Circular No.62/2012 dated 17.01.2012 on premature retirement is legal? If not, what relief the workman are entitled to?”

2. Later on, Corrigendum was received vide letter No.L-11011/19/2013-IR(M) dated 26.05.2014 as under:

‘In partial modification of this Ministry’s Order of even number dated 19.02.2014, in the second line of the schedule, the figure ‘62/2012’ may be treated as replaced with ‘02/2012’ and in the third line the word ‘workman’ may be treated as replaced with ‘workmen’.

3. It is alleged by the claimants in the statement of claim that prior to 1972, all the airports, both international as well as domestic, were maintained and managed by Government of India, Ministry of Civil Aviation through Director General of Civil Aviation. In the year 1971, International Airport Authority of India (in short IAAI) was carved out of the Civil Aviation Department and was constituted as such vide International Airports Authority of India Act, 1971, to maintain and manage the International Airports in the country. It started functioning from 1972.

4. It is the case of the claimant that in the year 1985, National Airport Authority (in short NAA) was carved out of balance Civil Aviation department of the Government of India vide NAA Act 1985 to maintain and manage domestic airports throughout the country. Upon constitution of IAAI and NAA, as stated above, employees who came from Ministry of Civil Aviation ceased to be Government servants on joining autonomous body/industrial organization. In the year 1994, IAAI and NAA were merged into Airport Authority of India (in short AAI) which started functioning from 01.04.1985. Section 18 of the Airport Authority of India Act provides that officers and employees of IAAI and NAA became employees of AAI created under the Act. Thus, workmen became employees of AAI. It is clearly provided under sub-section 2 of Section 18 of the above Act that every officer and employee of IAAI and NAA shall continue to be governed by the same terms and conditions as were applicable to them earlier under IAAI and NAA respectively. It is also provided under Section 18(7) of the Act after expiry of one year or extended period provided under Section 18 of the Act, Officer and employees of AAI shall be governed by rules and regulations made by the Authority in respect of their service conditions. Section 42 of the Act empowers the Authority to frame conditions of service and it further provides that regulation made by AAI under the Act, shall have effect only if approval is given by the Central Government. Further, Section 43 also provides that further rules and regulations made under the said Act shall be placed as soon as possible before each House of Parliament while it is in session. It is, thus, clear that under Section 42 and 43 of the Act, following conditions are to be fulfilled:

- (i) prior approval of the Central Government
- (ii) Notification in the official Gazette
- (iii) Laying of rules & regulations before each House of Parliament and agreement or disagreement of both the Houses of Parliament for making or not making the rules & regulations.

5. It is also alleged by the claimant in Para 16 of the statement of claim that in the year 2003, after 8 years from constitution of AAI management of AAI prepared Airport Authority of India (General Conditions of Service and Remuneration of Employees) Regulation 2003 (hereinafter called the 2003 Regulation) and got them straightway notified in the official Gazette skipping the necessary approval from either House of Parliament as well as prior approval of the Central Government.

6. It is also the case of the workman that no rule or regulation of IAAI and NAA contained any provision of premature retirement of employee on attaining age of 50 years on the grounds of inefficiency or doubtful integrity or medical unfitness. Rather the Central Government provided for protection of service to his employees who came to NAA by incorporating a clause in para 5 of its letter dated 22.09.1989 to the effect that dismissal/removal of an employee for any misconduct from service of NAA would be subject to review by Government before taking final decision and copy of the said letter is Annexure A-7. In short provisions, compulsory retirement made in the new regulation was never in existence previously, which empowers the Authority to compulsorily retire an employee, being inefficient or of doubtful integrity or medically unfit etc. Claimants have quoted in extenso the various provisions/regulations made under IAAI Act.

7. Claimant union has made a representation to the Chairman vide letter dated 27.01.2012 demanding immediate cancellation of circular of 2012 as is clear from Annexure A-9. Since the said Regulation of 2003 is legally invalid and having been made without proper approval of the Central Government and have not been laid before either House of Parliament, as such this provision regarding pre-mature retirement was also invalid under the law. There is also reference to Section 9A of the ID Act which requires notice to the workmen before making any change in their conditions of service. It is further alleged that no opportunity of hearing was afforded to the claimant before making any new service condition for them or changing old service conditions. The new provision made by the management of AAI for pre-mature retirement of the workmen, that too without show cause notice amounts to termination of their service. Finally, prayer has been made for declaring the impugned 2003 regulation, including the provision of premature retirement of employees as illegal and invalid under the law.

8. Notice served on the management and Shri Surender Kumar, Junior Executive (HR) put up appearance on 06.0.2014 and 02.07.2014. Thereafter, none appeared on behalf of the management, as such, this Tribunal vide order dated 21.01.2015 proceeded ex-parte against the management.

9. This Tribunal, vide order dated 18.02.2015, framed the following issue:

- (i) Whether action of the management of Airport Authority of India in making compulsory retirement of employees on the basis of AAI Circular No.62/2012 dated 17.01.2012 on premature retirement is legal? If not, what relief the workmen are entitled to?

10. Claimant union, in support of its stand, examined Shri G.A. Rudrappa as WW1, whose affidavit is Ex.WW1/A. He has also tendered in evidence documents Ex.WW1/1 to Ex.WW1/9.

11. I have heard Shri Kamlesh Kumar, A/R for the claimant union and perused the record.

12. It is clear from pleadings of the claimant as well as perusal of affidavit Ex.WW1/A that prior to 1972 all the airports in the country were maintained by Ministry of Civil Aviation and Government of India. It is further clear from pleadings of the claimant as well as perusal of affidavit Ex.WW1/A that prior to 1972, international as well as domestic airports in the country were maintained by Ministry of Civil Aviation and Government of India. It is also apparent from the evidence on record that IAAI was carved out of Civil Aviation Department of Government of India and as such IAAI was to maintain and manager the international airports in the country. It started functioning in 198\72. Further in the year 1995, NAA was carved out of the balance Civil Aviation Department of the Government of India vide National Airports Authority Act 1985. This Act was to maintain and manage the domestic airports in the country. Consequent upon creation of these two bodies and upon constitution of IAAI and NAA, employees who came from Civil Aviation ministry ceased to be government servants on their joining the respective autonomous bodies and industrial organizations. It is further clear from record that in the year 1994, IAAI and NAA were merged to constitute Airport Authority of India under the Airport Authority of India Act, 1994. It started functioning on 01.04.1995.

13. In order to appreciate the controversy in proper perspective, it is necessary to refer to the provisions of Section 18 and 42 (1) & (2) of the AAI Act, which is reproduced as under:

Section 18. (1) (a) Every officer or other employee of the International Airports Authority serving in its employment immediately before the appointed day shall, in so far as such officer or other employee is employed in connection with the undertaking which has vested in the Authority by virtue of this Act, becomes, as from the appointed day, an officer or, as the case may be, other employee of the International Airports Division of the Authority. (b) Every officer or other employee of the National Airports Authority serving in its employment immediately before the appointed day shall, in so far as such officer or other employee is employed in connection with the undertaking which has vested in the Authority by virtue of this Act, becomes, as from the appointed day, an officer or, as the case may be, other employee of the National Airports Division of the Authority.

(2) Every officer or other employee of the International Airports Authority or the National Airports Authority who becomes an officer or, as the case may be, other employee of the Authority, as referred to in sub-section (1), shall hold his office or service therein by the same tenure, at the same remuneration, upon the same terms and conditions, with the same obligations and with the same rights and privileges as to leave, passage, 17 insurance, superannuation scheme, provident fund, other funds, retirement, pension, gratuity and other benefits as he would have held under the International Airports Authority or, as the case may be, the National Airports Authority if its undertaking had not vested in the Authority and shall continue to do so as an officer or other employee, as the case may be, of the Authority or until the expiry of a period of one year from the appointed day if such officer or other employee opts not to be the officer or other employee of the Authority within such period: Provided that if the Authority thinks it expedient to extend the period so fixed, it may extend the same up to a maximum period of one year.

(3) Where an officer or other employee of the International Airports Authority or the National Airports Authority opts under sub-section (2) not to be in the employment or service of the Authority in which the undertakings of the International Airports Authority and the National Airports Authority have vested, such officer or other employee shall be deemed to have resigned from the respective cadre.

(4) Notwithstanding anything contained in the Industrial Disputes Act, 1947 or in any other law for the time being in force, the transfer of the services of any officer or other employee of the International Airports Authority or the National Airports Authority to the Authority shall not entitle such officer or other employee to any compensation under this Act or under any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

(5) The officers and other employees who have retired before the appointed day from the service of the International Airports Authority or the National Airports Authority and are entitled to any benefits, rights or privileges shall be entitled to receive the same benefits, rights or privileges from 18 the Authority in which the undertaking of the International Airports Authority and the National Airports Authority have vested.

(6) The trusts of the Provident Fund and Group Insurance and Superannuation Scheme of the International Airports Authority or the National Airports Authority and any other bodies created for the welfare of officers or employees would continue to discharge their functions in the Authority as was being done hitherto in the International Airports Authority or the National Airports and tax exemption granted to Provident Fund or group Insurance and Superannuation Scheme would continue to be applied to the Authority.

(7) After the expiry of the period of one year, or the extended period, as referred to in sub-section (2), all the officers and other employees transferred and appointed to the Authority, other than those opting not to be the officers or employees of the Authority within such period, shall be governed by the rules and regulations made by the Authority in respect of the service conditions of the officers and other employees of the said Authority.

Section 42 (1) The Authority may make regulations not inconsistent with this Act and the rules made thereunder to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act.

Section 42 (2) Without prejudice to the generality of the foregoing power, such regulations may provide for-

- (a) the time and places of the meetings of the Authority and the procedure to be followed for the transaction of business including the quorum at such meetings under subsection (1) of section 8;
- (b) the conditions of service and the remuneration of officers and other employees to be appointed by the Authority under sub-section (2) of section 10;
- (c) the construction of residential accommodation for the officers and other employees appointed by the Authority under clause (e) of sub-section (3) of section 12;
- (d) the storage or processing of goods in any warehouse established by the Authority under clause (g) of sub-section (3) of section 12 and the charging of fees for such storage or processing;
- (e) the contracts or class of contracts which are to be sealed with the common seal of the Authority and the form and manner in which a contract may be made by the Authority under sub-section (1) of section 21;
- (f) the custody and restoration of lost property and the terms and conditions under which lost property may be restored to the persons entitled thereto under section 34;
- (g) the disposal of any lost property in cases where such property is not restored;
- (h) securing the safety of aircraft, vehicles and persons using the airport or civil enclave and preventing danger to the public arising from the use and operation of aircraft in the airport or civil enclave;
- (i) preventing obstruction within the airport or civil enclave for its normal functioning;
- (j) prohibiting the parking or waiting of any vehicle of carriage within the airport or civil enclave except at places specified by the Authority;
- (k) prohibiting or restricting access to any part of the airport or civil enclave;
- (l) preserving order within the airport or civil enclave and preventing damage to property therein;
- (m) regulating or restricting advertising within the airport or civil enclave;
- (n) requiring any person, if so directed by an officer appointed by the Authority in this behalf, to leave the airport or civil enclave or any particular part of the airport or civil enclave; and
- (o) generally for the efficient and proper management of the airport or civil enclave.

14. On perusal of document Ex.WW1/3, i.e. office order dated 31.03.1997, which is in pursuance of section 18(7) of AAI Act 1994, the authority resolved that every officer or other employee of the authority shall hold office on the same remuneration and terms and conditions with the same obligation, including leave, passage, insurance, superannuation scheme, provident fund, other funds, retirement, pension, gratuity and other benefits which such employees were entitled in National Airports Division and International Airports Division of the authority.

15. Further, letter Ex.WW1/4 filed by the claimant union also refers to the provisions contained in Section 42(1) of AAI Act, which empowers the authority to frame conditions of services of its employees. Attention of this Tribunal was also invited to notifications Ex.WW1/5, which is in fact regulation called AAI (General Conditions of service and Remuneration of Employees) Regulation 2003. It appears that necessity arose to frame these regulations as both IAAI and NAA were merged into one body, i.e. Airport Authority of India under the Airport Authority of India Act, 1994. This detailed documents which deals with probation, discharge and termination of services as well as conditions for appointment under the AAI. Clause 12 of the document deals with superannuation or retirement and reads as under;

12. Superannuation or Retirement.- (1) An employee shall retire from his service on superannuation on attaining the age of 60 years. His/her actual retirement shall take effect as follows:- (a) if the employee's date of birth falls on the first day of the month in which he/she attains the age of 60 years, the retirement shall take effect on the last date of the preceding month; (b) if his/her date of birth falls on the end or on a later date of the month, his/her retirement shall be effective on the last date of the month in which he/she attains the age of superannuation. (2) In case an employee seeks voluntary retirement under this clause after attaining the age of 50 years, he shall be entitled for gratuity as admissible under any regulation made by Authority in this regard. (3) Employees retiring between the age of 50 and 60 years be eligible for full retirement benefits. (4) Notwithstanding anything contained herein before, the Authority may introduce at an appropriate stage a

scheme for Voluntary Retirement in keeping with the Authority's objectives and in line with the Government Directives in this regard. (5) An employee, who has attained the age of 50 years and is considered to be - (i) inefficient, or (ii) doubtful integrity, or (iii) medically unfit, may be prematurely retired by the Competent Authority: Provided that the employees those covered under the Industrial Disputes Act, 1947 (14 of 1947), shall be prematurely retired following due process of law. Explanation – For the removal of doubts, the criteria for determining inefficient, doubtful integrity or medically unfit of an employee under clause (c), the following procedure shall be followed, namely:- (a) Inefficient : Inefficiency which shall be evaluated on the basis of Performance Appraisal Reports. An employee, who has consecutively secured poor rating in his/her Appraisal Reports for the preceding three years may be deemed as a fit case for premature retirement. (b) Doubtful Integrity : An employee, who gets an adverse comment on his/her integrity consecutively for three years in his/her Appraisal Reports, shall be recommended for premature retirement. (c) Medical Unfitness : If an employee - (i) has been continuously on leave on medical grounds for a period of 12 weeks (including Saturdays; Sundays and Holidays), or (ii) has been on leave for reasons of sickness for a total period of 120 days or more (including Saturdays, Sundays and Holidays) during a continuous period of six months, or, (iii) (a) though attending duties, if found to be mentally deranged, the Head of the concerned Department may refer the employee to a Medical Board for a thorough medical check up and report on:- - the disease he/she is suffering from, - whether the disease is infectious/contagious, and - whether it is curable or incurable. (b) also, in case of curable disease, whether the employee is likely to be fit to resume his/her normal duties within a period of 12 months; 11 (c) in case the employee is not fit to resume his/her duties within a period of 12 months and in case of employee suffering from incurable and infectious/contagious disease, or suffering from lunacy or mental derangement and whose services cannot be utilized by the Authority, or whose attendance is likely to pose a health hazard to others, as may be certified by the Medical Board, premature retirement shall be considered, on the recommendations of the Competent Authority; (d) premature retirement on medical grounds is independent of and without prejudice to the right of the Authority under the contract employment to dispense with the services of an employee after serving the prescribed notice. (6) Benefit under Premature Retirement- An employee, who is prematurely retired, shall be entitled to the following benefits, namely :- (a) pay for the notice period as applicable to the employee under the terms and conditions of service, plus leave salary for unavailed Earned Leave. The quantum of leave salary shall not exceed the maximum limit to which earned leave may be accumulated under any regulations made by the Authority in this regard; (b) Provident Fund with accretions thereto in the account of the employee subject to the provisions of any regulations made by the Authority in this regard; (c) Gratuity as per the any regulations made by the Authority in this regard; (d) transfer benefits for self and his family as admissible under any regulations made by the Authority in this regard for proceeding to home town or to the place where he/she intends to settle down in India; (e) Any other benefit that may be extended from time to time to employees on retirement at the discretion of the Authority;

16. There is also document Ex.WW1/6 i.e. International Airport Authority of India Regulation 1980 which were applicable to such employees prior to their merger with Airport Authority of India in 1995. This detailed document which deals with the appointment and general conditions regarding such appointment, method of recruitment, creation of posts as well as matter relating to seniority, including transfers etc. Bare perusal of this document would show that there was no provision for compulsory retirement or termination service at the age of 50. Para No.23 of the said document deals with termination of permanent employee by giving 30 days notice in writing or pay in lieu of notice, which appears to be identical to provisions of Section 25(F) of the Act.

17. There is another document Ex.WW1/7 filed by the claimant union, which deals with details of pension matters in relation to those employees who have been transferred to Airport Authority of India.

18. The other important document is Ex.WW1/8 which is in fact HRM circular No.2/12 issued by Airport Authority of India. This document in fact deals with the retirement of such employees who are found to be inefficient, of doubtful integrity, and not in a position to perform duties due to medical unfitness etc.

19. Lastly, there is a letter by General Secretary of the workman union to the Chairman of AAI, Ex.WW1/9 wherein it has been alleged that AAI Regulation 2003 was notified without prior approval of the Central Government. In this regard, reference is also made to sub-section 4 and 5 of Section 42 of AAI, which is as under:

“(4) No regulation made by the Authority under this section shall have effect until it has been approved by the Central Government and published in the official gazette.”

(5) Notwithstanding anything contained in this section, the first regulations under this Act shall be made by the Central Government and shall have effect on being published in the official gazette.”

20. After going through the entire oral as well as documentary evidence on record, as discussed above, both IAAI and NAA were admittedly merged and integrated into one authority, AAI and employees who were working in the previous two organizations came to be governed by Regulations of AAI Act. It is clearly provided in sub-section 2 of

section 18 of the Act that such employees shall continue to be governed by the same terms and conditions and with the same obligations, rights and privileges as they enjoyed in IAAI and NAA only after expiry of a period of one year from the date of joining i.e. 01.04.1995 and the said period was further extendable by one year. It was after expiry of the above period that employees of AAI shall be covered by Rules and Regulations made by AAI in view of the powers given to AAI under sub-section-7 of section 18.

21. It was strongly argued on behalf of the workmen that in the present case no approval was obtained from the Central Government and HRM circular No.02/2012 was directly published in the official gazette in gross contravention of provisions of section 42 (4 and 5) of AAI Act 1994.

22. I have also gone through the ratio of law in *Uttar Pradesh State Electricity Board vs. Hari Shankar Jain* (1978) 4 SCC 16 as well as *Tata Iron and Steel Company vs. its workmen* (AIR 1972 SCC 1917) regarding provisions of Section 9A of the Act. Strong reliance was placed upon the case of *Karnal Co-op Sugar Mills Ltd. vs. Labour Court, Rohtak, Haryana* ((2003) II CLR 704).

23. Admittedly, in the present case, it is apparent from perusal of the record that before publishing of HRM circular No.02/2012, the Authority/management has not got approval of the Central Government nor there is anything in record to suggest that these regulations were taken up for consideration and approval by either House of Parliament, as required under the law. This Tribunal cannot ignore the fact that the management has not taken care to rebut the case of the claimant union as no written statement was filed to the statement of claim of the claimants. Though, initially, Shri Surender Singh appeared on behalf of the management on two dates, but later on for reasons best known to the management, nobody put up appearance on behalf of the management as a result of which management was proceeded ex-parte. In such a situation, this Tribunal, even otherwise, is entitled to draw adverse inference against the management. Further, in *Hari Shankar Jain case* (supra) almost in similar circumstances, Hon'ble Apex Court held as under:

“We, therefore, hold that the Industrial Employment (Standing orders) Act is a special law in regard to the matters enumerated in the schedule and the regulations made by the Electricity Board with respect to any of those matters are of no effect unless such regulations are either notified by the Government under Sec. 13-B or certified by The Certifying officer under Sec. 5 of the Industrial Employment (Standing orders) Act. In regard to matters in respect of which regulations made by the Board have not been notified by the Governor or in respect of which no regulations have been made by the Board, the Industrial Employment (Standing orders) Act shall continue to apply. In the present case the regulation made by the Board with regard to age of superannuation having been duly notified by the Government, the regulation shall have effect notwithstanding the fact that it is a matter which could be the subject-matters) Standing orders under the Industrial Employment (Standing orders) Act. The respondents were therefore, properly retired when they attained the age of 55 years. the appeal is, therefore, allowed. The Writ Petition filed in the Light Court is dismissed. The appellants will pay the costs of the respondents as directed by this Court on 28-9- 1977. The costs are quantified at Rs. 3,500/-.”

24. In *Tata Iron and Steel Company case* (supra) question of delegation of power by Legislature under Article 255 of the Constitution of India was discussed and Hon'ble Apex Court, in fact, observed that power to frame such regulation has been delegated by the Parliament to the Authority under Regulation 245. Delegation of such power is permissible only when legislative principle and policy is adequately laid on such Authority as per the Act. When the workmen are likely to be effected by change in the conditions of service, in such circumstances, approval of the Government is required as discussed above under Section 18(7) of the Act.

25. Lastly in the case of *Karnal Co-op. Sugar Mills case* (supra), Hon'ble High Court of Punjab and Haryana, (speaking through Justice G.S. Singhvi as his lordship then was) dealt with the requirement of provisions of Section 9-A of the ID Act, which clearly provides that any employer who proposes to effect changes in conditions of services applicable to such workman without giving the workman notice, in writing, or in the prescribed manner, can make such changes. In the said case, workman was retrenched in view of implementation of scheme of rationalization undertaken by the employer on account of improvement of plant or technique in the industry. Labour court held the impugned action of the management to be invalid being in violation of section 9-A of the Act. It was held that management cannot effect any change in condition of service applicable to such workmen unless notice has been given in the prescribed manner to such workmen who are likely to be effected by such change or proposed in the conditions of service. In this regard, it is necessary to reproduce provisions of Section 9-A of the Act, which are relevant in the present controversy:

9A. Notice of change.- No employer, who proposes to effect any change in the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule, shall effect such change,--

(a) without giving to the workmen likely to be affected by such change a notice in the prescribed manner of the nature of the change proposed to be effected; or

(b) within twenty- one days of giving such notice:

26. In the case on hand also, admittedly no such notice was issued to the workmen when the above Regulation of 2003 was framed by the management. To my mind, it has really dealt a crippling blow to the case of the management.

27. As a sequel to my detailed discussion made hereinabove, it is held that the impugned Regulation of 2003, including provisions of pre-mature retirement of employees of AAI, is illegal and is legally not binding upon the workmen, as the same is in violation of provisions of Section 18(7) of the Act as well as Section 9-A of the ID Act. An award is accordingly passed. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Dated : December 8, 2016

A. C. DOGRA, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 22.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स एच.डी. एफ.सी. स्टैंडर्ड लाइफ इंश्योरेंस कंपनी लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-1, नई दिल्ली के पंचाट (संदर्भ संख्या 91/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-17012/7/2016-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 22.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 91/2016) of the Central Government Industrial Tribunal/Labour Court-1, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. HDFC Standard Life Insurance Co. Ltd. and their workman, which was received by the Central Government on 21.12.2016.

[No. L-17012/7/2016-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE

IN THE COURT OF SHRI AVTAR CHAND DOGRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, KARKARDOOMA COURT COMPLEX, DELHI

ID No. 91/2016

Shri Ajay Singh, S/o Shri Braham Prakash
R/o House No.30/6, Block 23,
MCD Colony, Azadpur,
Delhi 110 033

...Workman

Versus

M/s HDFC Standard Life Insurance Co. Ltd.,
A-24, Community Centre, Jwala Heri Market,
Paschim Vihar,
New Delhi – 110 063

...Management

AWARD

Central Government, vide letter No.L-17012/7/2016-IR(M) dated 18.03.2016, referred the following industrial dispute to this Tribunal for adjudication:

“Whether Shri Ajay Singh S/o Shri Braham Prakash is a workman under the Industrial Disputes Act, 1947 and if yes, whether his services have been terminated illegally and/or unjustifiably by the management of HDFC Standard Life Insurance Company Limited, and if so, to what relief is the workman entitled to and what directions are necessary in this respect?”

2. In the reference order, the appropriate Government commanded the party/ies raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Shri Ajay Singh opted not to file his claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article, referred above, was received back nor was it observed by the Tribunal that postal services remained affected in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put in his appearance nor has he led any evidence so as to prove his cause against the management, as such, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Dated : November 22, 2016

A. C. DOGRA, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 23.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स दिल्ली इंटरनेशनल एयरपोर्ट प्राइवेट लिमिटेड एवं अन्य के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ संख्या 68/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-11012/10/2014-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 23.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 68/2016) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Delhi International Airport Pvt. Ltd. and others and their workman, which was received by the Central Government on 21.12.2016.

[No. L-11012/10/2014-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT - II, ROOM NO. 33,
BLOCK-A, GROUND FLOOR, KARKARDOOMA COURT COMPLEX, KARKARDOOMA,
DELHI 110 032**

Present : Shri Harbansh Kumar Saxena

ID. No. 68/2016

Sh. Neeraj Tyagi, S/o Mangal Tyagi
C/o Airport Employees Union,
BTR Bhawan, 13A, Rouse Avenue, New Delhi

...Workman

Versus

1. The Chairman,
M/s. Delhi International Airport Pvt. Ltd.,
New Udaan Bhawan, IGI Airport, New Delhi-37

2. The Manager,
Kappal Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi.
3. The Manager,
Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi

...Managements

AWARD

On 21.01.2015 Labour Ministry of Government of India made reference No.L-11012/10/2014-IR(M) to this tribunal for adjudication "Whether termination of services of Sh. Neeraj Tyagi S/o Sh. Mangal Tyagi by the Managements M/s. Brady Services Pvt. Ltd. w.e.f. 16.12.2014 is just, fair and legal? If not, what relief the workman concerned is entitled to?"

Aforesaid reference has been received in the office of this tribunal which has been registered as ID Case No. 68 of 2016.

Notice to workman/respondent was issued to file claim statement/ response to reference fixing 16.09.2016.

On 16.09.2016 none turn up hence fixed 21.10.2016 for filing of claim statement.

On 21.10.2016 workman as well as Sh. Vipin Malik Manager (HR) came and informed that settlement is in progress. Hence I fixed 9.11.2016 for filing of settlement report.

On 9.11.2016 parties sought adjournment hence I fixed 15.11.2016 for filing of settlement report.

On 15.11.2016 management M/s Brady services Pvt. Ltd. filed settlement report in respect of ID Case No. 68/16, 69/16, 70/16, and 71/16 through its Manager H.R and Admin Sh. Bipin Mallik.

After settlement outside court, Management handed over cheque of Rs. 41,715/- on 15.11.2016 to workman. Who made an endorsement on ordersheet to this effect of receiving cheque to his full and final payment in compliance of settlement. Workman filed photo copy of cheque which is introduced on record.

On such payment of Rs. 41,715/- claim of workman/claimant stands satisfied.

Award is accordingly passed.

Dated:-15/11/2016

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 24.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स दिल्ली इंटरनेशनल एयरपोर्ट प्राइवेट लिमिटेड एवं अन्य के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ संख्या 69/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-11012/9/2014-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 24.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 69/2016) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Delhi International Airport Pvt. Ltd. and others and their workman, which was received by the Central Government on 21.12.2016.

[No. L-11012/9/2014-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT - II, ROOM NO. 33,
BLOCK-A, GROUND FLOOR, KARKARDOOMA COURT COMPLEX, KARKARDOOMA,
DELHI 110 032****Present : Shri Harbansh Kumar Saxena****ID. No. 69/2016**

Sh. Vivek, S/o Shambhu Prasad,
C/o Airport Employees Union,
BTR Bhawan, 13A, Rouse Avenue, New Delhi

...Workman

Versus

1. The Chairman,
M/s. Delhi International Airport Pvt. Ltd.,
New Udaan Bhawan, IGI Airport, New Delhi-37
2. The Manager,
Kappal Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi.
3. The Manager,
Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi

...Managements

AWARD

On 21.01.2015 Labour Ministry of Government of India made reference No.L-11012/9/2014-IR(M) to this tribunal for adjudication "Whether termination of services of Sh. Vivek S/o Sh. Shambhu Prasad by the Managements M/s Brady services Pvt. Ltd. w.e.f. 16.12.2014 is just, fair and legal? If not, what relief the workman concerned is entitled to?"

Aforesaid reference has been received in the office of this tribunal which has been registered as ID Case No. 69 of 2016.

Notice to workman/respondent was issued to file claim statement/ response to reference fixing 16.09.2016.

On 16.09.2016 none turn up hence fixed 21.10.2016 for filing of claim statement.

On 21.10.2016 workman as well as Sh. Vipin Malik Manager (HR) came and informed that settlement is in progress.Hence I fixed 9.11.2016 for filing of settlement report.

On 9.11.2016 parties sought adjournment hence I fixed 15.11.2016 for filing of settlement report.

On 15.11.2016 Sh. Bipin Mallik Manager H.R. and Admin filed settlement report in respect of this ID Case also in ID case No. 68/2016.

After settlement outside court, Management handed over cheque of Rs. 46,347/- on 15.11.2016 to workman who made an endorsement on ordersheet to this effect of receiving cheque to his full and final payment in compliance of settlement. Workman filed photo copy of cheque which is introduced on record.

On such payment of Rs. 46,347/- claim of workman/claimant stands satisfied.

Award is accordingly passed.

Dated:-15/11/2016

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 25.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स दिल्ली इंटरनेशनल एयरपोर्ट प्राइवेट लिमिटेड एवं अन्य के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ संख्या 70/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-11012/6/2014-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 25.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 70/2016) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Delhi International Airport Pvt. Ltd. and others and their workman, which was received by the Central Government on 21.12.2016.

[No. L-11012/6/2014-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT - II, ROOM NO. 33, BLOCK-A, GROUND FLOOR, KARKARDOOMA COURT COMPLEX, KARKARDOOMA, DELHI 110 032

Present : Shri Harbansh Kumar Saxena

ID. No. 70/2016

Sh. Virender Yadav, S/o Ram Kumar Yadav,
C/o Airport Employees Union,
BTR Bhawan, 13A, Rouse Avenue, New Delhi

...Workman

Versus

1. The Chairman,
M/s. Delhi International Airport Pvt. Ltd.,
New Udaan Bhawan, IGI Airport, New Delhi-37
2. The Manager,
Kappal Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi.
3. The Manager,
Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi

...Managements

AWARD

On 21.01.2015 Labour Ministry of Government of India made reference No.L-11012/6/2014-IR(M) to this tribunal for adjudication "Whether termination of services of Sh. Virender Yadav, S/o Sh. Ram Kumar Yadav by the Managements M/s Brady services Pvt. Ltd. w.e.f. 16.12.2014 is just, fair and legal? If not, what relief the workman concerned is entitled to?"

Aforesaid reference has been received in the office of this tribunal which has been registered as ID Case No. 70 of 2016.

Notice to workman/respondent was issued to file claim statement/ response to reference fixing 16.09.2016.

On 16.09.2016 none turn up hence fixed 21.10.2016 for filing of claim statement.

On 21.10.2016 workman as well as Sh. Vipin Malik Manager (HR) came and informed that settlement is in progress. Hence I fixed 9.11.2016 for filing of settlement report.

On 9.11.2016 parties sought adjournment hence I fixed 15.11.2016 for filing of settlement report.

On 15.11.2016 Sh. Bipin Mallik Manager H.R. and Admin filed settlement report in respect of this ID Case also in ID case No. 68/2016.

After settlement outside court, Management handed over cheque of Rs. 29,406/- on 15.11.2016 to workman. Who made an endorsement on ordersheet to this effect of receiving cheque to his full and final payment in compliance of settlement. Workman filed photo copy of cheque which is introduced on record.

On such payment of Rs. 29,406/- claim of workman/claimant stands satisfied.

Award is accordingly passed.

Dated:-15/11/2016

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 26.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स दिल्ली इंटरनेशनल एयरपोर्ट प्राइवेट लिमिटेड एवं अन्य के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ संख्या 71/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-11012/5/2014-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 26.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 71/2016) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Delhi International Airport Pvt. Ltd. and others and their workman, which was received by the Central Government on 21.12.2016.

[No. L-11012/5/2014-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT - II, ROOM NO.33,
BLOCK-A,GROUND FLOOR, KARKARDOOMA COURT COMPLEX, KARKARDOOMA,
DELHI 110 032**

Present : Shri Harbansh Kumar Saxena

ID. No. 71/2016

Sh. Raj Singh, S/o Rattan Singh,
C/o Airport Employees Union,
BTR Bhawan, 13A, Rouse Avenue, New Delhi

...Workman

Versus

1. The Chairman,
M/s. Delhi International Airport Pvt. Ltd.,
New Udaan Bhawan, IGI Airport, New Delhi-37
2. The Manager,
Kappal Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi.
3. The Manager,
Brady Services Pvt. Ltd.,
LB-17, New Delhi House,
27, Barakhamba Road, New Delhi

...Managements

AWARD

On 21.01.2015 Labour Ministry of Government of India made reference No.L-11012/5/2014-IR(M) to this tribunal for adjudication "Whether termination of services of Sh. Raj Singh S/o Sh. Rattan Singh by the Managements

M/s Brady services Pvt. Ltd. w.e.f. 16.12.2014 is just, fair and legal? If not, what relief the workman concerned is entitled to?

Aforesaid reference has been received in the office of this tribunal which has been registered as ID Case No. 71 of 2016.

Notice to workman/respondent was issued to file claim statement/ response to reference fixing 16.09.2016.

On 16.09.2016 none turn up hence fixed 21.10.2016 for filing of claim statement.

On 21.10.2016 workman as well as Sh. Vipin Malik Manager (HR) case and informed that settlement is in progress. Hence I fixed 9.11.2016 for filing of settlement report.

On 9.11.2016 parties sought adjournment hence I fixed 15.11.2016 for filing of settlement report.

On 15.11.2016 Sh. Bipin Mallik Manager H.R. and Admin filed settlement report in respect of this ID Case also in ID case No. 68/2016.

After settlement outside court, Management handed over cheque of Rs. 31,034/- on 15.11.2016 to workman. Who made an endorsement on ordersheet to this effect of receiving cheque to his full and final payment in compliance of settlement. Workman filed photo copy of cheque which is introduced on record.

On such payment of Rs. 31,034/- claim of workman/claimant stands satisfied.

Award is accordingly passed.

Dated:-15/11/2016

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 27.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स हिरी माइन्स ऑफ भिलाई इस्पात संयंत्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 71/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-29011/21/2011-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 27.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 71/2012) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Hirri Mines of Bhilai Steel Plant and their workman, which was received by the Central Government on 21.12.2016.

[No. L-29011/21/2011-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/71/12

The President,
Samyukta Khadan Mazdoor Sangh (AITUC),
Village Chhatouna, Post Hirri Mines,
Distt. Bilaspur

...Workman/Union

Versus

Dy.General Manager (Incharge),
Hirri Mines of Bhilai Steel Plant,
At & Post Hirri Mines,
Distt. Bilaspur

...Management

AWARD

Passed on this 28th day of October 2016

1. As per letter dated 4-6-12 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-29011/21/2011-IR(M). The dispute under reference relates to:

“Whether the decision of the contractor M/S Jhajharia Nirman Pvt. Ltd. Engaged by Bhilai Steel Plant, Bilaspur to reduce one shift from working 3 shifts, violating the terms and conditions of the work award, is fair, legal and justified? What relief the concerned workmen are entitled to?”

2. After receiving reference, notices were issued to the parties. Union failed to participate in reference. Union has proceeded ex parte on 25-5-16.
3. Management filed ex parte Written Statement and affidavit of evidence.
4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether the decision of the contractor M/S Jhajharia Nirman Pvt. Ltd. Engaged by Bhilai Steel Plant, Bilaspur to reduce one shift from working 3 shifts, violating the terms and conditions of the work award, is fair, legal and justified?	Ist party Union failed to participate in reference, the dispute couldnot be decided on merit.
(ii) If not, what relief the workman is entitled to?”	Union is not entitled to any relief.

REASONS

5. Ex parte Written Statement submitted by 2nd party is devoted on the point that M/S Jhajharia Nirman Pvt. Ltd. was awarded contract of crushing, sizing, transportation and loading of dolomite at Hirri Mines of Bhilai Steel Plant. Working hours at Hirri mines were provided in 3 shifts per day. According to contractor, he was awarded contract of crushing, sizing, transportation and loading of dolomite at Hirri Mines for 27 months. On expiry of 27 months from 9-1-09, according to contractor sufficient raw material had not been given by management for crushing the material from March 2011 onwards. Therefore it was not possible to continue work in 3 shifts. Above facts are supported by management's witness Sanjay Boratwar filing affidavit of his evidence.

6. As Ist party has not participated in reference, the dispute under reference could not be decided on merit. Accordingly I record my finding in Point No.1.

7. In the result, award is passed as under:-

- (1) Ist party not participated in reference therefore dispute under reference could not be decided on merit.

R. B. PATLE, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 28.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भिलाई इस्पात संयंत्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 90/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-26012/2/2009-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 28.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 90/2009) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Bhilai Steel Plant and their workman, which was received by the Central Government on 21.12.2016.

[No. L-26012/2/2009-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/90/09

The Organizing Secretary,
Samyukta Khadan Mazdoor Sangh (AITUC),
Dalli Rajhara,
Durg (CG)

...Workman/Union

Versus

Assistant General Manager(P, Mines & ES),
Bhilai Steel Plant,
Bhilai, Durg(CG)

...Management

AWARD

Passed on this 28th day of October 2016

1. As per letter dated 22-10-09 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No. L-26012/2/2009-IR(M). The dispute under reference relates to:

“Whether the management of Bhilai Steel Plant in their Jharandalli Mines, Dallirajhara is justified in not changing the date of birth of Shri Kailash Nath, P.No.212002 from 29-9-49 to 6-2-1952 as demanded by the Organising Secretary of S.K.M.S Union? To what relief the workman is entitled?”

2. After receiving reference, notices were issued to the parties. Ist party SKMS Union submitted statement of claim. The contentions of Ist party pertaining to dispute are that date of birth of Shri Kailash Nath Yadav was sought to be corrected from 29-9-49 to 6-2-52. The dispute was raised before ALC. Failure report was also submitted on 29-5-09. The concerned workman instead of waiting the outcome of failure report filed writ petition suit No. 15/A/09 for declaration, correction of his date of birth alleging that his retirement on date of birth 29-9-09 is arbitrary and illegal. Civil Judge Class II Dalli Rajhara decree the suit on 17-9-09. It is contented that the reference has become infructuous.

3. 2nd party filed Written Statement opposing claim of Ist party. 2nd party w.r.t. civil suit 15A/09 submits said suit for declaration and injunction on behalf of the Ist party workman. Workman had adopted remedy of civil suit. The decree passed by Civil Judge, IInd class was challenged before ADJ, Balod, the matter was remanded back to the lower court. Advocate R.K.Rastogi for Ist party and Shri A.K.shashi, Advocate for management submitted that the 2nd appeal in the matter of decree passed by Civil Judge IInd class is pending before Hon'ble High Court that workman is not desiring to prosecute the present reference. In view of above facts discussed above, it is clear that Ist party has adopted remedy of civil suit and his not prosecuting the dispute. Consequently No Dispute Award is passed.

R. B. PATLE, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 29.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भारत पेट्रोलियम कार्पोरेशन लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, एर्नाकुलम के पंचाट (संदर्भ संख्या 8/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.12.2016 को प्राप्त हुआ था।

[सं. एल-30012/8/2011-आईआर (एम)]

राजेश कुमार, अवर सचिव

New Delhi, the 28th December, 2016

S.O. 29.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 8/2012) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Bharat Petroleum Corporation Ltd. and their workman, which was received by the Central Government on 21.12.2016.

[No. L-30012/8/2011-IR (M)]

RAJESH KUMAR, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ERNAKULAM****Present :** Shri. K. Sasidharan, B. Sc., LLB, Presiding Officer(Monday the 31st day of October, 2016/09th Kartika, 1938)**ID No. 8/2012**

Workman	:	Shri. M. P. Manoj, Veligil Veedu, Pathirappally PO, Alappuzha, Kerala. By Adv. Shri. P. P. Padmalayan
Management	:	The Executive Director, BPCL, No.1, Ranganatha Gardens, Off 11 th Main Road, Anna Nagar, Chennai – 40. By M/s. Menon & Pai

This case coming up for final hearing on 04.10.2016 and this Tribunal-cum-Labour Court on 31.10.2016 passed the following:

AWARD

This is a reference under Section 10 sub-sections (1) clause (d) and (2A) of the Industrial Disputes Act, 1947 (Act 14 of 1947).

2. The dispute referred for adjudication is:

“Whether the action of the management of M/s BPCL with its headquarter at Mumbai in dismissing the services of Shri Manoj M.P., Operator-III (Field) EDP No.79758, Lubricants, Ambalamughal, Dist. Ernakulam, Kerala vide order dated 13/7/2009 is legal and justified? What relief the workman is entitled to?”

3. After receipt of the reference Order No.L-30012/8/2011-IR(M) dated 14.02.2012, issued by the Ministry of Labour, Government of India, summons was issued to the parties to appear, submit their pleadings and produce documents to substantiate their respective contentions. On receipt of the summons the parties entered appearance through counsel and submitted their pleadings.

4. The contentions in the claim statement filed by the workman in brief are as follows:

The management is a public sector undertaking. The workman joined as Sweeper Grade-I in the management's unit at Ernakulam Installation on 12.10.1990. Subsequently he was promoted to the post of Operator. Till the year 2002 he was working in the Ernakulam Installation unit of the management. Later he was transferred to the lubricants depot of the management at Ambalamughal. He was working as Operator-III (Field), at the lubricants depot of the management at Ambalamughal, Ernakulam. While so the management issued two charge sheets against the workman. The management ordered an enquiry in that regard. The enquiry was conducted on 13.07.2007 and the evidence was closed on the same day. After a lapse of two years from the date of closing the enquiry he was dismissed by the management on 13.07.2009. Till the date of dismissal the workman was working in the unit of the management.

5. The workman met with two serious road accidents in the year 2003 and 2008 respectively. As a result he sustained grievous injuries and unable to attend duty. The reason for his inability to attend duty has been intimated to the management in advance. In the meantime the management issued two charge sheets to the workman. The enquiry was conducted by an officer of the management in English language. The workman belongs to Scheduled Tribe community and had only primary level of education. He could not understand the meaning of the questions put in English language in the course of enquiry. The two charges levelled against the workman are – (i) habitual absence; and (ii) misuse of housing loan. The workman explained the reason for his absence from duty and also the circumstances that lead to the failure to use the housing loan properly. He explained his inability to attend duty as a result of the injury sustained in accidents and the subsequent financial crisis thereof.

6. In the accident occurred in the year 2003 the workman lost his memory for some period and he was physically incapacitated. During that period he could not attend duty. He had intimated that aspect to the management in time. In the second accident he lost the eye sight of one eye partially. As a result he could not attend duty on several days. He had to take rest as advised by the doctors. He had submitted leave applications before the management and requested to grant leave. The enquiry officer has not afforded sufficient and reasonable opportunity to the workman to defend his case properly. After closing the enquiry, the management issued the dismissal order after a lapse of two years. Till then the workman was working in the management Corporation. The allegations levelled against the workman are vague, flimsy, false and baseless. The enquiry was conducted in a clandestine manner, as a result of the collusion between the management and the trade union leaders for the reason that the workman questioned the illegal demand for contribution by the trade union leaders. In the course of enquiry the enquiry officer who was the supervisor in the company directed the workman to sign in some papers from the office of the management Corporation. He informed the workman that the enquiry was completed. The enquiry was completed in a single day within one hour. The workman was not served with the list of documents or list of witnesses to be examined. He was not allowed to prove his innocence during the enquiry. Moreover, the workman was not allowed to challenge the enquiry report before issuing the order by the disciplinary authority. The management filed approval application under Section 33(2)(b) of the ID Act, 1947 before the Industrial Tribunal at Mumbai.

7. The workman hails from a poor family back ground. He belongs to Scheduled Tribe community. He is the sole bread winner of his family consisting of his wife, two children and aged parents. It is true that the workman availed housing loan from the management with an undertaking to repay the same with interest. Due to the unexpected accidents and the subsequent treatment for the same he had to spend huge amount to save his life. He utilized the loan amount to meet the treatment expenses. He has not misused the loan amount. He is ready and willing to repay the same. From the date of enquiry i.e., from 13.07.2007 till the date of dismissal i.e., 13.07.2009 the workman was continuously and uninterruptedly working in the management Corporation. He was not suspended from duty on any occasion. During the conciliation proceedings the workman expressed his regret and pleaded mercy from the side of the management to allow him to resume work. His request was not considered by the management in the proper prospective. Therefore the workman has requested to set aside the dismissal order passed against him by the management and to reinstate him with back wages and other attendant benefits.

8. The averments in the written statement filed by the management in brief are as follows:-

Shri. M. P. Manoj joined the service of the management on 20.10.1990 in the post of Sweeper (Grade-I). Subsequently he was promoted to the post of Operator. He was a habitual absentee. He was charge sheeted in the year 2000 for absence without permission for 300 days from 1996 to July, 2000. As per order dated 10.01.2002 he was punished for the misconduct by 'Reduction in Basic pay by three stages'. In spite of that punishment he failed to make any improvement in his attendance. Again the workman absented from duty for 380 days from 01.01.2004 to 25.04.2007. Therefore the management issued charge sheet dated 13.07.2007 against the workman under Clauses 29.1.2, 29.1.21 and 29.1.41 of the Certified Standing Orders of the Corporation. Apart from the above charge sheet another charge sheet dated 13.07.2007 was issued by the management to the workman for misuse of housing loan to a tune of ₹1,53,333/-. As per the housing loan scheme, construction of extension/enlargement of property has to be completed within six months from the date of sanctioning of the first installment. The workman failed to report before the management about the status of construction. The management inspected his premises and found that no extension/enlargement of the house was carried out. Thereafter the management issued follow-up letters requiring him to complete the construction and comply the provisions under the housing loan scheme. He submitted an explanation dated 10.01.2007 to the effect that due to his family problem and health issue he could not commence the construction work. The explanation was not satisfactory and hence the management charge sheeted him as provided under Clause 29.1.14 and 29.1.25 of the Certified Standing Orders of the Corporation. The workman failed to submit any reply to the charge sheet. Therefore the management ordered domestic enquiry. The enquiry officer conducted separate enquiry in relation to the two charge sheets, one in the forenoon and the other in the afternoon on 13.12.2007. The domestic enquiry in relation to the charges of absenteeism was conducted at 10:00 AM on 13.12.2007 and in relation to the misuse of housing loan the enquiry was conducted at 02:00 PM on the same day. The workman fully participated in the enquiry. The enquiry officer read out the contents of the charge sheet in detail in Malayalam to the delinquent

workman. He understood the charges levelled against him. He unconditionally admitted the charges levelled against him. In the course of enquiry copies of documents relied on by the management were provided to the workman. After the completion of enquiry the enquiry officer explained the details of the proceedings of enquiry in Malayalam to the delinquent workman and after having understood the contents of the same he put his signature in all pages of the proceedings. In the course of enquiry there was no objection or dissatisfaction on the part of the delinquent workman in the conduct of enquiry.

9. On the basis of evidence on record and the clear admission by the workman in relation to the charges levelled against him, the enquiry officer submitted reports dated 17.12.2007 with the finding that the workman is guilty of all the charges levelled against him in both charge sheets. Thereafter the management served copy of the enquiry reports and findings to the workman and requested him to submit his comments. In his response dated 22.01.2008 the workman unconditionally apologized for all lapses on his side. After considering the representation and evaluation of the matter in issue in detail, the disciplinary authority passed an order of punishment of dismissal of the workman from the services of the management. The allegation that the enquiry officer conducted the enquiry without affording opportunity to the workman to substantiate his contentions and without following the principles of natural justice, is false and incorrect. The contention of the workman that he has applied for leave during the period of absence from duty, is false and incorrect. The management has granted special medical leave to the workman for the period from 23.02.2003 to 07.03.2003 since he met with an accident in the year 2003. The aforesaid incident has nothing to do with the charge sheet for unauthorized absence for the period from 2004 to 2007. The contention of the workman that the charges levelled against him are vague, flimsy and baseless, is absolutely false. The management has requested to consider the validity of the domestic enquiry as a preliminary issue and in case it is found that it is vitiated on any grounds they sought permission to adduce independent evidence to substantiate the charges levelled against the workman.

10. The workman is a habitual absentee and not interested in continuing the employment. Therefore the management has requested to uphold their contentions and pass an award to that effect.

11. After filing written statement by the management opportunity was afforded to the workman to file rejoinder. He has not filed any rejoinder.

12. Thereafter the matter was posted for taking steps and production of documents. The management produced two enquiry files. As requested by the counsel for the management the validity of the domestic enquiry was considered as the preliminary point. On this aspect, on behalf of the management MW1 was examined and Exts.M1 and M2 are the documents marked. As per the Preliminary Order dated 15.06.2016 it is held that the domestic enquiry conducted by the management in relation to the charges levelled against the workman is valid and proper. Thereafter the matter was posted for final hearing and the counsel appearing for both sides were heard in detail.

13. The points arising for consideration are:

- “(i) *Whether the action of the management in dismissing the workman Shri Manoj M. P. from their services as Operator-III (Field) EDP No.79758, Lubricants, Ambalamughal, Ernakulam District vide order dated 13.07.2009 is just and proper?*
- (ii) *Whether the punishment imposed by the management is excessive, exorbitant or disproportionate to the charges levelled against the workman?*
- (iii) *To what relief the workman is entitled?”*

14. Point Nos.(i) & (ii):- The workman involved in this reference Shri. Manoj. M. P joined the services under the management on 12.10.1990 as sweeper Grade-I. Subsequently he was promoted as operator. During the year 2002 he was working as Operator-III(Field) in the Ernakulam Installation division of the management. He was transferred to the Lubricants Depot of the management at Ambalamughal. The management initiated disciplinary proceedings against the workman on two counts – (i) for habitual absence and (ii) for misuse of housing loan. The management has stated that the workman unauthorisedly absented from duty for 380 days from 01.01.2004 to 25.04.2007. The management issued a charge sheet dated 13.07.2007 to the workman for misconduct as specified under Clauses 29.1.2, 29.1.21 and 29.1.41 of the Certified Standing Orders of the company. The said clauses read as follows:-

“29.1.2 Habitual absence without leave or absence without leave for more than 10 consecutive days or overstaying the sanctioned leave without sufficient grounds or proper and satisfactory explanation;

29.1.21 Habitual neglect of work, or gross or habitual negligence;

29.1.41 *Habitual breach of any Standing Order or any law applicable to the establishment or any rules thereunder.*

15. In addition to the above charge sheet for unauthorized absenteeism another charge sheet was issued to the workman for misuse of housing loan. The management has stated that they disbursed a sum of ₹1,53,333/- to the workman for the construction of extension/enlargement of his house. On verification it is seen that the workman has not done any extension work or enlargement of the existing house within a period of six months from the date of sanctioning of the first installment. Even though the management afforded opportunity to the workman to complete the construction work, he failed to comply the same. According to the management the workman misused the housing loan and accordingly they charge sheeted him under Clauses 29.1.14 and 29.1.25 of the Certified Standing Orders of the company. Clauses 29.1.14 and 29.1.25 read as follows:-

“29.1.14 *Theft, fraud or dishonesty in connection with the corporation’s business or property;*

29.1.25 *Securing or attempting to secure in a fraudulent manner pecuniary advantage from the corporation or from the funds created by the corporation.*”

16. The management ordered domestic enquiry. The enquiry officer conducted the enquiry and submitted report before the management. The enquiry officer found that the workman is guilty of the charges levelled against him. The management complied the statutory requirements and issued punishment order against the workman. According to the management the punishment imposed by them is just and proper and in proportion to the gravity of the misconduct committed by the workman.

17. The workman has stated that he met with two accidents one in the year 2003 and the other in the year 2008. He sustained grievous injury in those accidents and underwent treatment for a considerable long period and hence he could not attend duty regularly. He has stated that in the second accident he lost sight of one eye and he is continuing treatment even now. The workman has stated that he belongs to Scheduled Tribe community and having only primary level of school education. He has further stated that he belongs to the poor strata of the society and he is socially and educationally backward. He would further state that he has to look after his aged parents, his wife and two minor children. He has stated that he had produced medical certificates and requested for leave before the authorities explaining the reason for his absence from duty. According to him there is no willful latches on his part.

18. The workman had challenged the domestic enquiry proceedings. As per the Preliminary Order dated 15.06.2016 it is held that the domestic enquiry conducted by the management is just and proper and that it is not vitiated on any of the grounds as alleged by the workman.

19. Learned counsel for the workman submitted that the workman belongs to poor strata of society and his case has to be looked into on humanitarian considerations. It is submitted that the workman could not attend duty regularly because of ill health. The learned counsel submitted that the punishment imposed by the management is excessive and disproportionate to the gravity of misconduct alleged against the workman.

20. The learned counsel for the management referred to the *Rulings reported in 2007 (115)FLR 9148 – Tata Engineering and Locomotive Company Ltd. Vs. Suhas Madhukar Mulay and another*. The learned counsel further referred to the *Ruling in 2010 1 CLR 170 – Pandurang Vithal Kevne Vs. Bharat Sanchar Nigam Ltd. (Telecom Factory), Mumbai and Anr.* The learned counsel also referred to the *Ruling reported in 2013 LLR 121 – Amarjeet Singh Vs. Management of National Thermal Power Corpn. Ltd.* The learned counsel submitted that in view of the dictum laid down in the decisions referred above, the punishment imposed by the management is just and proper and in proportion to the gravity of misconduct committed by the workman. The facts and circumstances in the cases referred by the learned counsel for the management differ from the facts and circumstances in the present case. It is true that in the decisions referred above the Hon’ble High Courts have come to the conclusion that in the case of misconduct of unauthorized absence, the punishment of dismissal from service is just and proper. In this case the workman belongs to Scheduled Tribe community and he is having only primary level of education. His social and family background has to be considered while imposing the punishment on the workman.

21. From Ext.M1 file it can be seen that the workman had submitted medical certificates requesting the management to grant leave for different periods. The enquiry officer has not considered those medical certificates produced by the workman for the reason that he has not claimed any reimbursement from the corporation for the treatment underwent during the period under reference in those medical certificates. The enquiry officer has referred to the medical certificates issued by different doctors. It is true that there is discrepancy in the medical certificates produced by the workman before the management. It is a fact that the workman requested the management to grant leave for the reason that he could not report for duty due to ailment or inability to attend duty. It is true that the management has doubted the genuineness of the medical certificates produced by the workman. The fact that the workman remained absent from duty for a period of 380 days from 01.04.2004 to 25.04.2007 is proved from the

documents produced by the management. Therefore it is evident that the workman has committed the misconduct of unauthorized absence as alleged by the management.

22. The next aspect to be considered is regarding the misappropriation or misuse of the housing loan by the workman. It is a fact that the workman availed loan to a tune of ₹1,53,333/- from the management for construction of extension/enlargement of his house. It has come out in evidence that the workman has not carried out any construction work or extension/enlargement to his house after availing the housing loan from the management company. According to the workman he expended the loan amount for his treatment and hence he could not commence the construction of extension/enlargement of his house. It is true that the workman has to comply the terms and conditions in the scheme for housing loan. If he fails to do so, he has to repay the housing loan to the management. This is a liability due from the workman to the management. Since the workman has not utilized the housing loan for the purpose for which it was availed by him from the management it is to be held that he is guilty for the misconduct of misuse of housing loan.

23. The workman has stated that he was laid up and hence he could not commence the construction work or extension work of his house. He has produced medical certificates before the management to substantiate his plea that he was bed ridden due to ailment. It is true that the management has doubted the genuineness of the medical certificates produced by the workman. The social and financial back ground of the workman has to be taken into consideration while awarding punishment on the workman. Considering the fact that the workman belongs to Scheduled Tribe community and he is from a socially, educationally and economically backward community and that he has to look after his aged parents, minor children and wife, the punishment imposed by the management, it appears that it is disproportionate to the gravity of the misconduct committed by the workman. Considering all these factual aspects it will only be just and reasonable to afford an opportunity to the workman to reform him so that his family can be saved from total ruin and destruction. Therefore it is held that the management has succeeded in proving the misconduct alleged against the workman. Considering the facts and circumstances of the case it is held that the punishment imposed by the management is excessive and disproportionate. According to me the ends of justice will be met by awarding the punishment of '*reduction in basic pay by three stages and to reinstate the workman in service without continuity of service*'. He shall not be entitled to any service benefits from the date of dismissal in the year 2009 till the date of reinstatement. The points are answered accordingly.

24. Point No.(iii):- In view of the findings on Point Nos.(i) and (ii) it is held that the management has succeeded in proving the misconduct of unauthorized absence and the misuse of housing loan alleged against the workman. It is held that the punishment of dismissal from service imposed by the management is excessive. It is a fact that the management initiated disciplinary proceedings against the workman in the year 2007 and he was dismissed from service only in the year 2009. From the year 2007 i.e., from the date of initiation of disciplinary proceedings till the date of issue of dismissal order the workman was in service under the management. This is a mitigating circumstance enabling the workman to have some leniency in awarding the punishment to be imposed on him. He shall be reinstated in service within three months from the date of publication of the Award in this case. His pay shall be reduced by three stages. He shall not be entitled to any service benefits from the date of dismissal in the year 2009 till the date of reinstatement in service. The award is passed accordingly.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 31st day of October, 2016.

SASIDHARAN K., Presiding Officer

APPENDIX

Witness for the workman

NIL

Witness for the management

MW1 12.02.2016 Shri Jose Paul Chiramel.

Exhibits for the workman

NIL

Exhibits for the management

M1 - Enquiry file

M2 - Enquiry file (Volume-2)

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 30.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मध्य रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 2, मुम्बई के पंचाट (संदर्भ सं. 3/2014) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-41012/44/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 30.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 3/2014) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Mumbai as shown in the Annexure, in the Industrial Dispute between the management of Central Railway and their workmen, received by the Central Government on 28.12.2016.

[No. L-41012/44/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.2, MUMBAI

PRESENT : M.V. DESHPANDE, Presiding Officer

REFERENCE NO. CGIT-2/3 of 2014

EMPLOYERS IN RELATION TO THE MANAGEMENT OF CENTRAL RAILWAY

The Chief Personnel Officer (Labour)
Central Railway
O/o. General Manager
CST
Mumbai 400 001

AND

THEIR WORKMAN

Shri JitendraYadav
C/o. Janata Power Laundry
BR Road, Near Pipeline
Mulund (W)
Mumbai-400 080.

APPEARANCES:

FOR THE EMPLOYER : Mr. R.K. Yadav, Rep.
: Adv. AbhayKulkarni,

FOR THE WORKMAN : No appearance.

Mumbai, the 24th June, 2016.

AWARD

The Government of India, Ministry of Labour & Employment by its Order No.L-41012/44/2013-IR (B-I), dated 01.01.2014 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following industrial dispute to this Tribunal for adjudication:

“Whether the action of the management of Central Railway in terminating the services of Shri JitendraYadav, Ex-Substitute Bungalow Peon w.e.f. 16/1/2003 is legal, just and proper? And whether the demand of Shri JitendraYadav for re-employment of his service in the Central Railway is just and proper? To what relief the workman concerned is entitled ?”

2. After receipt of the Reference, notices were issued to both the parties. Notice sent to Second Party/ Workman, Shri JitendraYadav returned un-served with postal remark 'unclaimed'. It amount to service. Since Second party workman did not remain present, again notice was issued to the workman vide Ex-3. Second party workman did not appear and file his statement of claim. Without Statement of claim, the Reference cannot be decided on merits and the same deserves to be dismissed. Thus I pass the following order:

ORDER

Reference stands dismissed for want of prosecution.

Date: 24.06.2016

M. V. DESHPANDE, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 31.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, एर्नाकुलम के पंचाट (संदर्भ संख्या 19/2014) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-12012/09/2014-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 31.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 19/2014) of the Central Government Industrial Tribunal/Labour Court, Ernakulam now as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workman, received by the Central Government on 28.12.2016.

[No. L-12012/09/2014-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri. K. Sasidharan, B. Sc., LLB, Presiding Officer

(Monday the 25th day of July, 2016/03rd Shravana, 1938)

ID No. 19/2014

Workmen : Shri. Rajasekharan Nair. T & 13 others,
Narankara Veedu, Marukil,
Ooruttambalam-PO,
Trivandrum – 695507.

By Adv. Shri. A. J. Ahamed Kabeer

Management : The Chief Manager,
State Bank of India,
Local Head Office,
Thampanoor,
Trivandrum – 695001.

By Adv. Shri. Raynold Fernandez N

This case coming up for final hearing on 11.07.2016 and this Tribunal-cum-Labour Court on 25.07.2016 passed the following:

AWARD

In exercise of the powers conferred by clause (d) of sub-section(1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (Act 14 of 1947) the Central Government referred the following dispute before this Tribunal for adjudication.

2. The dispute referred for adjudication before this Tribunal is:

“Whether the demand of the aggrieved workmen (temporary guards) for regular appointment in the bank based on their temporary service by relaxing the upper age limit prescribed in the guidelines is justified or not? To what relief the workman are entitled?”

3. After the receipt of reference Order No.L-12012/09/2014-IR(B-I) dated 25.03.2014, issued by the Ministry of Labour, Government of India, summons was issued to the parties to submit their pleadings. On receipt of the summons the parties entered appearance through counsel.

4. The contentions in the claim statement filed by the workmen in brief are as follows:

The workmen were recruited as per the provisions of the Employment Exchanges Act by the Zilla Sainik Welfare Officer, Thiruvananthapuram from the cadre exclusively reserved for ex-servicemen with preferential claim for absorption in permanent substantial cadre, by the management. During the selection process conducted by the management on the last occasion, the Hon'ble High Court of Kerala interfered and issued direction to the management to permit the workmen to participate in the physical fitness certificate and interview conducted on 26.04.2011 and on subsequent dates. Till now, the management failed to declare the results of the aforesaid selection process with deliberate intention. They suppressed the results for reasons unknown to the workmen. The workmen were expecting regularization as done in the years 2002-2005. The workmen had uninterrupted and unblemished service under the management in the cadre of watchman/guard from the year 2005. They worked for more than 240 days in a year during their service under the management.

5. The workmen were having the required qualification prescribed as per the guidelines dated 21.07.2002 for appointment as armed guards against the permanent vacancies notified by the management. The workmen are entitled to the benefit of the guidelines dated 21.07.2002, issued by the management. The management has not issued intimation regarding the termination of services of the workmen to the Zilla Sainik Welfare Officer who is their sponsor. The workmen being ex-servicemen require special consideration in the matter of rehabilitation and resettlement in civil society.

6. As per the judgment in WP(C) No.23928/2013 dated 21.02.2014 the Hon'ble High Court of Kerala directed the management to prepare a select list for appointment as watchman, guard from among the ex-servicemen. The Assistant Labour Commissioner, Thiruvananthapuram as per F.O.C Report No.08(59)/ 2012/ALC-TVM dated 20.01.2014 explained the factual situation. Thereafter the management denied employment to the workmen with the willful intention and without informing the Zilla Sainik Welfare Officer. The management is victimizing the workmen by following the unfair labour practice which resulted in the unemployment of the workmen. Therefore the workmen have requested to pass an award directing the management to reinstate them with full back wages, continuity of service and all other service benefits.

7. The averments in the written statement filed by the management in brief are as follows:

They have denied all the averments in the claim statement filed by the workmen except those that are specifically admitted.

8. The workmen are not employees under the management. They are temporary employees and their service will not entitle them for regularization in the service. The workmen had approached the Hon'ble High Court of Kerala seeking absorption in the services of the bank permanently and to consider them for employment to the vacancy for which advertisement was issued. The management could not accept the request by the workmen for the reason that as per the guidelines ex-servicemen below the age of 45 alone are eligible to be considered for appointment to the post of armed guard. The Hon'ble High Court of Kerala observed that the management cannot alter the guidelines for absorption of ex-servicemen in the services of the bank and that the Union of India is taking the decision regarding relaxation of age limit for the appointment to the aforesaid posts.

9. As per the guidelines in force, a person who attained the age of 45 on the relevant date of notification cannot participate in the selection process for absorption into the regular vacancy in the bank. The Hon'ble High Court of Kerala considered this aspect and upheld the position while declining the request of the workmen for considering them for the services of the bank. The workmen are bound by the directions issued by the Hon'ble High Court of Kerala in this regard.

10. The workmen were engaged as casual workers as per the list provided by the Zilla Sainik Welfare Officer, Thiruvananthapuram. The posts of watchmen/guards are reserved exclusively for ex-servicemen. Formerly the workmen were engaged only as substitutes, temporarily during the absence of permanent watchmen/guards on account of leave/relief, only as a short-term measure on different occasions at various branches. The management never recruited and employed them in the regular vacancies. No assurance was given to the workmen that they will be absorbed at a later stage against the permanent vacancy that may arise in the bank. The workmen never underwent any

selection process such as physical test or interview before they were allowed to do work as casual and temporary workers under the management bank. They are not entitled to make any claim against the guidelines now in force. Since the workmen have submitted a representation seeking relaxation of the upper age limit, they are precluded from contending that the stipulation regarding age limit is not binding on them. The decisions rendered by the Hon'ble High Court of Kerala in WP Nos.8520/2011, 12597/2011, 12415/2011 and connected matters reveal that the claim of the workmen will have the effect of res judicata. In WP No.8520/2011 and connected cases the Hon'ble High Court of Kerala upheld the decision of the management. The workmen were engaged purely on temporary basis in the absence of permanent watchmen/guard as a result of leave, relief and as a short term measure. The claim of the workmen is not sustainable either in law or on facts. After the joining as the new recruits in the management bank, the workmen who were engaged purely on temporary basis were not allowed to do any further duty. In the judgment pronounced by the Hon'ble High Court of Kerala it was made clear that the workmen can approach the appropriate authority for the redressal of their grievance. The Hon'ble High Court of Kerala has made it clear that the authority to grant upper age limit for selection is the Government of India and that the workmen can approach them for appropriate remedy. The Hon'ble High Court of Kerala dismissed the Writ Petitions with the observation that there was no circumstance warranting interference in the selection process adopted by the management bank. The Hon'ble High Court of Kerala has made it clear that the workmen have to approach the Central Government seeking relaxation of upper age limit for appointment.

11. The Assistant Labour Commissioner has not made any adverse remarks against the management. The allegation that the management is adopting unfair labour practice and victimization against the workmen, is absolutely false. The workmen are bound by direction and guidelines issued by the management bank. The workmen have no legal right for appointment against permanent vacancies in the management bank. They are bound by the guidelines for selection, issued by the management. None of the workmen involved herein have worked continuously for 240 days in any year. Therefore the management has requested to disallow the claim of the workmen and pass an award accordingly.

12. After filing written statement by the management the workmen submitted rejoinder reiterating the contentions in the claim statement.

13. After affording sufficient opportunity to the parties for taking steps and for production of documents, the matter was posted for recording evidence. On behalf of the workmen WW1 and WW2 were examined and Exts.W1 to W34 were marked. On behalf of the management MW1 was examined and Ext.M1 is the document marked. Heard both sides.

14. The points arising for consideration are:

“(i) Whether the demand of the aggrieved workmen for appointment against the regular vacancies in the management bank on the basis of their temporary service in the bank by relaxing the prescribed upper age limit is justifiable?”

(ii) To what relief the workmen are entitled?”

15. Point Nos.(i) & (ii):- The 14 workmen involved in this reference have stated that they were recruited as per the provisions of the Employment Exchanges Act by the Zilla Sainik Welfare Officer, Thiruvananthapuram against the cadre exclusively reserved for ex-servicemen. They have further stated that they are entitled to be absorbed against the permanent substantial vacancies under the management. The Hon'ble High Court of Kerala has issued direction to the management to allow the workmen to participate in the physical fitness test and interview conducted by the management from 26.04.2011. The workmen have stated that the management failed to declare the results of the interview for reasons were unknown to them. According to the workmen they were expecting regularization of employment under the management as was done in the years 2002-2005. The workmen have stated that they are qualified for appointment against permanent vacancies under the management. It is stated that the workmen have uninterrupted and unblemished service under the management in the cadre of watchman/guard.

16. The workmen have stated that they are having more than 240 days of employment in a year under the management. On that score the workmen sought regularization of their service under the management. They have stated that the management never informed the Zilla Sainik Welfare Officer, Thiruvananthapuram who is the sponsor of the workmen regarding the termination of their service. They have stated that due to over age they are not in a position to secure any employment elsewhere. They have stated that the Hon'ble High Court of Kerala directed the management to redress the grievance of the workmen as per the judgment in WP(C) No.23928/2013 dated 21.02.2014. The management has stated that the Assistant Labour Commissioner realized the factual situation and never directed them to accept the demand by the workmen. According to the management the workmen are not entitled to be reinstated in service with back wages and other benefits as claimed.

17. While examined as WW1 the workman No.1 has stated that he is working along with the remaining workmen as temporary security staff under the management bank. He has stated that he had no knowledge about the guidelines issued by the State Bank of India for appointment of security staff. WW1 has stated that as per the Exts.W3 and W4 judgments the Hon'ble High Court of Kerala directed the workmen to approach the Central Government. He has stated that as per the direction in the judgment passed by the Hon'ble High Court of Kerala they approached the Central Government and submitted a representation. He has denied the suggestion that the claim of the workmen is barred by res judicata.

18. While examined as WW2 the Zilla Sainik Welfare Officer, Thiruvananthapuram has stated that as per Ext.W32 document dated 10.01.2014 the Zilla Sainik Welfare Board sponsored ex-servicemen for employment under the management. WW2 has stated that as against one vacancy the Zilla Sainik Welfare Board sponsored nine ex-servicemen. WW2 has stated that he has no knowledge as to whether the temporarily deputed persons were allowed to work only in the absence of permanent staff on a particular date. He has no knowledge as to whether there is permanent security staff working under the management bank. WW2 has denied the suggestion that there was no obligation on the part of the management to issue termination letter against the workmen.

19. While examined as MW1 the Chief Manager(HR) of the management bank has stated that the workmen were allowed to do the work as temporary substitute watchmen, on daily wage basis. He has stated that the workmen were selected from among the list furnished by the District Sainik Welfare Officer, Thiruvananthapuram. MW1 has denied the suggestion that the workmen involved herein have worked under the management for more than 240 days in a year. He has stated that the workmen were employed as temporary watchmen under the management.

20. The workmen are relying on the judgments pronounced by the Hon'ble High Court of Kerala to substantiate their claim for continuity in service. Copy of the judgments pronounced by the Hon'ble High Court of Kerala; produced by the workmen do not reveal that the workmen are entitled to get permanency in appointment as guards/watchmen under the management. The judgments pronounced by the Hon'ble High Court of Kerala is to the effect that the upper age limit for recruitment to the posts of guards/watchmen from among the ex-servicemen may be relaxed by the appropriate government if they so desire. The workmen have not produced any document to prove that they underwent selection process and eligible for appointment against the permanent vacancy of guards/watchmen under the management. So also there is no documentary proof to show that the workmen involved in this reference have worked under the management for more than 240 days in a year. The documents produced by the workmen do not reveal that they are entitled to get preferential treatment for selection process against permanent vacancies of guards/watchmen under the management.

21. In the decision reported in the Secretary, State of Karnataka Vs. Uma Devi & Others 2006 (4) (SCC page 1) the Hon'ble Supreme Court has made it clear that *the temporary appointment will not confer right or eligibility for consideration against permanent vacancies*. It is made clear by the Hon'ble Supreme Court that *for appointment against the permanent vacancies the procedure of selection has to be followed by the management so as to allow the persons similarly placed to compete for selection to that particular post*. In view of the dictum laid down by the Hon'ble Supreme Court in the decision referred above, the workmen involved in this reference have no right to claim preferential treatment for selection against the permanent vacancies under the management, unless and until the guidelines for selection is varied, altered or modified by the competent authority. It follows that the workmen involved in this reference are not entitled to get preferential treatment against the regular vacancies under the management bank on the basis of their temporary service. Therefore the workmen are not entitled to get any relief as claimed in this reference. The points are answered against the workmen.

22. In view of the findings on the points for consideration the workmen are not entitled to be considered for regular appointment under the management bank on the basis of their temporary service by relaxing the upper age limit prescribed in the guidelines issued by the management.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 25th day of July, 2016.

SASIDHARAN K., Presiding Officer

APPENDIX

Witnesses for the workmen

WW1	Shri Rajasekharan Nair	27.01.2016
WW2	Shri Premnath V. B.	03.03.2016

Witnesses for the management

MW1	Shri Jaz A. Haq	01.04.2016
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Exhibits for the workmen

- W1 - True copy of the Order dated 19.04.2011 in WP(C) No.12415/2011(B) passed by the Hon'ble High Court of Kerala, Ernakulam.
- W2 - Copy of the notification dated 20.05.2011 issued by the Executive Director(Personnel), Life Insurance Corporation of India, Central Office, Yogakshema, Jeevan Bima Marg, Mumbai for appointment of Peons in LIC of India.
- W3 - True copy of the judgment dated 11.10.2012 in WP(C) No.12597/2011(Y) passed by the Hon'ble High Court of Kerala, Ernakulam.
- W4 - True copy of the judgment dated 11.10.2012 in WP(C) No.12415/2011(B) passed by the Hon'ble High Court of Kerala, Ernakulam.
- W5 - True copy of the representation dated 07.12.2012 submitted by Shri Manikantan Nair. S, Temporary Guard, Main branch, MG Road, State Bank of India, Trivandrum.
- W6 - True copy of the representation dated 07.12.2012 submitted by Shri Sreekumaran Nair. A, Temporary Guard, Main branch, MG Road, State Bank of India, Trivandrum.
- W7 - True copy of the letter dated 08.12.2012 addressed to Shri. A. K. Antony, Hon'ble Minister for Defence, Government of India, New Delhi by the workmen.
- W8 - True copy of the letter dated 12.12.2012 addressed to the Chairman, State Bank of India, Central Office, State Bank Bhavan, Madam Cama Road, Mumbai, Maharashtra by Shri T. Rajasekharan Nair.
- W9 - True copy of the Registered Legal Notice bearing No.3312/12/DW/D6 dated 22.12.2012 issued by Shri. A. J. Ahamed Kabeer, Advocate & District Notary, Thiruvananthapuram to the management.
- W10 - True copy of the Office Memorandum bearing No.28(102)/2012/D(Res-I) dated 28.12.2012 issued by the Under Secretary(Res-I), Department of Ex-servicemen Welfare, Ministry of Defence, Government of India to the Director(Banking), Department of Financial Services, Ministry of Finance, Jeevandeep Building, Parliament Street, New Delhi.
- W11 - True copy of the letter D.O. letter No.1325 dated 17.01.2013 issued by Shri. Kodikunnil Suresh, Hon'ble Minister of State for Labour & Employment, Government of India, New Delhi to Shri Manikantan Nair S.
- W12 - True copy of the Office Memorandum bearing No.28(102)/2012/D(Res-I) dated 01.02.2013 issued by the Under Secretary(Res-I), Department of Ex-servicemen Welfare, Ministry of Defence, Government of India to the Director(Banking), Department of Financial Services, Ministry of Finance, Jeevandeep Building, Parliament Street, New Delhi.
- W13 - True copy of the Office Memorandum bearing No.28(102)/2012/D(Res-I)/216/13 dated 04.02.2013 issued by the Under Secretary(Res-I), Department of Ex-servicemen Welfare, Ministry of Defence, Government of India to the Director(Banking), Department of Financial Services, Ministry of Finance, Jeevandeep Building, Parliament Street, New Delhi.
- W14 - True copy of the representation dated 22.03.2013 submitted before the Hon'ble Minister for Human Resource Development, Government of India in the camp office in Thiruvananthapuram by the workmen.
- W15 - True copy of the letter No.MOS(HRD)/428/13/Ptn. dated 25.03.2013 issued by Shri T. R. Sadasivan Nair, Assistant Private Secretary to Minister of State for Human Resource Development, Government of India to Shri Pratip Chaudhuri, Chairman & Managing Director, State Bank of India, S B Bhavan, Madame Cama Road, Mumbai-400021.
- W16 - True copy of the representation dated 14.04.2013 submitted before the Assistant General Manager, State Bank of India, Main branch by Shri S. Manikantan Nair.
- W17 - True copy of the job certificate No.Nil dated 22.12.2007 issued by the Assistant General Manager, State Bank of India, Thiruvananthapuram.
- W18 - True copy of the certificate No.CM(O/A) dated 19.10.2007 issued by the Chief Manager (Office Admn.), State Bank of India, Zonal Office, Thiruvananthapuram.
- W19 - True copy of the certificate No.Nil dated 20.07.2009 issued by the Chief Manager, State Bank of India, M.G. Road, Thiruvananthapuram.

- W20 - True copy of the certificate No.CM(ADMN)/002539 dated 06.03.2010 issued by the Chief Manager(Admn.), State Bank of India, Zonal Office, Thiruvananthapuram.
- W21 - True copy of the certificate No.CM(ADMN)/002311 dated 11.11.2008 issued by the Chief Manager(Admn.), State Bank of India, Zonal Office, Thiruvananthapuram.
- W22 - True copy of the certificate No.Nil dated 08.08.2006 issued by the Branch Manager, State Bank of India, Marakkada Road, Thiruvananthapuram.
- W23 - True copy of the letter No.HR/921 dated 04.02.2010 issued by the Assistant General Manager(Admin-I), State Bank of India, LHO Annexe, LMS Compound, Thiruvananthapuram to Shri S. Justin Jose, Malayam.
- W24 - True copy of the Conduct Certificate bearing No.Misc/St/52 dated 31.08.2010 issued by the Assistant General Manager, State Bank of India, MG Road, Thiruvananthapuram in respect of Shri. C. Devarajan.
- W25 - True copy of the certificate No.Nil dated 12.11.2007 issued by the Assistant General Manager, State Bank of India, M.G. Road, Thiruvananthapuram.
- W26 - True copy of the certificate No.Nil dated 26.05.2007 issued by the Branch Manager, State Bank of India, Thumba, Thiruvananthapuram.
- W27 - True copy of the letter No.CM(O/A)/MISC./183 dated 03.08.2007 issued by the Chief Manager(Office Admn.), State Bank of India, Zonal Office, Thiruvananthapuram to Shri Padmakumar, Trivandrum.
- W28 - True copy of the certificate No.Nil dated 24.10.2007 issued by the Assistant General Manager, State Bank of India, M.G. Road, Thiruvananthapuram.
- W29 - True copy of the certificate No.Nil dated 05.04.2007 issued by the Branch Manager, State Bank of India, Marakkada Road, Thiruvananthapuram.
- W30 - True copy of the certificate No.Nil dated 26.02.2008 issued by the Assistant General Manager, State Bank of India, M.G. Road, Thiruvananthapuram.
- W31 - True copy of the reply dated 14.12.2013 submitted by the Chief Manager(HR) before the Hon'ble Assistant Labour Commissioner(Central), Thiruvananthapuram in the matter of industrial dispute between the Management of SBI and Shri Rajasekharan Nair. T & 13 others
- W32 - True copy of the reply vide letter No.A6/EMP/12869/2013 dated 10.01.2014 given by the Zilla Sainik Welfare Officer, O/o the Zilla Sainik Welfare, Thiruvananthapuram to Advocate Shri V. J. Ahamed Kabeer, Vanchiyoore sought under Right to Information Act.
- W33 - True copy of the judgment dated 21.02.2014 in WP(C) No.23928/2013(M) passed by the Hon'ble High Court of Kerala, Ernakulam.
- W34 - True copy of the Registered Legal Notice bearing No.1911/14/DW/S3 dated 19.03.2014 issued by Shri. A. J. Ahamed Kabeer, Advocate & Notary, A & M Law Office, Vanchiyoore, Thiruvananthapuram to the management.

Exhibits for the management

- M1 - True copy of the judgment in WA No.64/2014 dated 10.01.2014 passed by the Hon'ble High Court of Kerala, Ernakulam against the judgment in WP(C) No.22055/2013 dated 20.12.2013 passed by the Hon'ble High Court of Kerala, Ernakulam.

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 32.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स स्टेट बैंक ऑफ़ त्रावनकोर के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, एर्नाकुलम के पंचाट (संदर्भ संख्या 331/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-12012/244/2002-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 32.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 331/2006) of the Central Government Industrial Tribunal/Labour Court, Ernakulam now as shown in the Annexure, in the industrial dispute between the management of State Bank of Travancore and their workman, received by the Central Government on 28.12.2016.

[No. L-12012/244/2002-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ERNAKULAM****Present :** Shri. K. Sasidharan, B. Sc., LLB, Presiding Officer(Wednesday the 20th day of July, 2016/29th Ashadha, 1938)**ID No. 331/2006**

Workman : Shri V. Rajagopalan,
S/o K. Venketarao,
Marathaumadom, Eroor(West),
Tripunithura –
By M/s. H. B. Shenoy Associates

Management : The Deputy General Manager,
State Bank of Travancore,
Zonal Office,
ERNAKULAM – 682011.
By Adv. Shri P. Ramakrishnan

This case coming up for final hearing on 08.07.2016 and this Tribunal-cum-Labour Court on 20.07.2016 passed the following:

AWARD

This is a reference under clause (d) of sub-section(1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (Act 14 of 1947) for adjudication.

2. The dispute referred for adjudication is:

“Whether the dismissal from service of Shri V. Rajagopal, Cashier in charge of Pottenkadu Branch of State Bank of Travancore by the management of State Bank of Travancore is legal and justified? If not, what relief the workman is entitled?”

3. As per Order No.L-12012/244/2002-IR(B-I) dated 23.01.2003 the Central Government referred the said dispute for adjudication before the Labour Court, Ernakulam. Before the Labour Court, Ernakulam the parties entered appearance through counsel and submitted their pleadings. While so as per order dated 01.11.2006 passed by the Labour Court, Ernakulam, the matter was transferred to this Tribunal on the basis of the order passed by the Hon’ble High Court of Kerala in the Writ Petition. Subsequently the matter was numbered as ID 331/2006 and the parties entered appearance before this Tribunal through counsel. Thereafter as per the Preliminary Order dated 20.08.2010 this Tribunal held that the domestic enquiry conducted by the management is vitiated and against the principles of natural justice and fair play. Challenging that order the management preferred WP(C) No.34966/2010 before the Hon’ble High Court of Kerala. As per the judgment dated 22.12.2015 the Hon’ble High Court of Kerala confirmed the finding of this Tribunal that the enquiry conducted in this matter was in violation of the principles of natural justice. The Hon’ble High Court of Kerala vacated the finding regarding the vagueness of charge and the observation in relation to the imposition of punishment under the provisions of the Bipartite Settlement, observed by this Tribunal.

4. The contentions in the claim statement filed by the workman in brief are as follows:-

The issue referred for adjudication is:

“Whether the dismissal from service of Shri V. Rajagopal, Cashier in charge of Pottenkadu Branch of State Bank of Travancore by the management of State Bank of Travancore is legal and justified? If not, what relief the workman is entitled?”

5. The workman was employed as Cashier-in-charge at the Pottenkad branch of the management bank. While so, a charge sheet dated 04.08.1998 was served on him by the management. The workman submitted a detailed reply denying the charges levelled against him. The management failed to consider the submission in the reply statement by the workman. They proceeded against the workman and ordered to conduct an enquiry. The workman requested the management to cause production of certain documents required to prove his innocence. The management failed to produce the same with the explanation that the documents were not traceable. The enquiry officer submitted a report on 28.10.1999 with the finding that the charge Nos. 1, 3 and 8 alleged in the charge sheet stands proved and charge Nos. 2, 4, 5, 6 and 7 were not proved. Against the finding of the enquiry officer the workman submitted a representation pointing out that the finding is against the evidence on record and hence it is perverse. The management thereafter issued a show cause notice to the workman requiring him to explain as to why he shall not be dismissed from the service of the bank. Subsequently as per the order dated 29.12.1999 the management confirmed the proposed punishment of dismissal from service against the workman. The workman preferred an appeal before the appellate authority which was ended in dismissal.

6. The entire disciplinary proceedings initiated by the management against the workman is vitiated for the reason that the finding of the enquiry officer is perverse and not based on any evidence on record. Charge No.1 as per the charge sheet relates to misappropriation of a sum of ₹31,500/- from the cash balance while the workman was on duty as cashier-in-charge and joint custodian of cash. The management failed to consider the fact that the difference occurred not in the day's cash closed but in the amount kept under joint custody. The relevant provisions in Chapter III of the Book of Instructions of State Bank of Travancore which considers the possibility of finding a shortage in cash balance and procedures to be followed therein were fully complied by the workman. Making a single custodian a scape goat while allowing the other to wash his hands is against the principles of natural justice.

7. Regarding the charge No.3 in relation to pledging of gold ornaments in the fictitious name and subsequently removing the gold loan bag containing gold ornaments, the entire transactions were signed by the then Manager and the loanee. Apart from this those ornaments were redeemed subsequently. The sanctioning authority of the bank loan is the Manager. The investigation report dated 10.10.1998 by the Sub-Inspector of Police, Rajakkad reveals that the gold bags that were reported to be missing from the bank are available in the bank.

8. Charge No.8 relating to the issue of cheques by the workman without keeping sufficient balance and retaining the cheques pending at the branch when the same were received is also not proved. The bank Manager subsequently entered the cheques in separate register to create false evidence against the workman. The audit report reveals that the branch is not retaining records relating to cheques received for collection and hence the question whether the cheques were retained in the branch cannot be made out. Apart from this not even a single cheque issued by the delinquent workman was bounced for want of funds. The workman cannot be prosecuted for any misconduct in this regard.

9. The workman joined the services of the management bank in the year 1981 as peon. He was promoted as cashier in the year 1990. The action of the management in dismissing him from service is on the basis of improper appreciation of facts and evidence. The action is arbitrary. The workman has requested to pass an award holding that the action of the management in dismissing him from service is illegal and hence to reinstate him with all benefits and continuity of service.

10. The contentions in the written statement filed by the management in brief are as follows:-

The management has denied all the averments in the claim statement filed by the workman except those that are specifically admitted. The workman Shri V. Rajagopal while employed as cashier-in-charge at the Pottenkadu branch of the management bank was proceeded for serious acts of misconduct. The charges levelled against him as per charge sheet No.RMV/EKM/DPS/152/98-99 dated 04.08.1996 reads as follows:

- “ 1. On 4.4.98 you misappropriated a sum of Rs.31,500/- (Rs.thirty one thousand five hundred only) from the cash held by you during the normal course of your duty as the Cashier-in-charge and joint custodian of the cash.
2. You removed the gold loan bags containing the gold ornaments pledged to the Bank by the borrowers under GL No.580/96, GL 8/96 and re-pledged the ornaments along with certain other spurious ornaments on 3.3.98 in the name of your wife and brother in law for Rs.20,000/- and Rs.21,000/- as AGL 2/98 and 3/98 respectively.
3. You yourself pledged gold ornaments for Rs.5,500/- on 23.3.98 in the fictitious name of one Shri Biju Thomas as GL 71/98 and subsequently removed the gold loan bag containing the gold ornaments.
4. In respect of GL 17/98 dated 13.1.98 in the name of Shri T. Shaji, you altered the weight of gold ornaments as 26.500 grams in the place of actual weight of 16.500 grams. Prepared the documents for Rs.5,000/- but paid Rs.3,000/- only to the party and thus misappropriated Rs.2,000/-.

5. *You failed to note the denomination of notes on the reverse of the Receipts and Payments Vouchers.*
6. *You failed to keep note slips on section/bundles of currency notes and stitched/stapled before placing the same under joint custody.*
7. *You had not maintained proper cash balance book from 2nd April onwards.*
8. *You had issued several cheques without maintaining sufficient balance in the account and cheques were kept pending till funds were remitted by you.*

The above actions on your part if established, would constitute misconduct under the following clauses of Bipartite Settlements rendering you liable for the appropriate punishments.

- 19.5(d) - *willful damage or attempt to cause damage to the property of the Bank or any of its customers.*
- 19.5(c) - *willful insubordination or disobedience of any lawful and reasonable orders of the Management or of a superior.*
- 19.5(j) - *doings acts prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss.*
- 19.7(c) - *neglect of work, negligence in performing duties.*
- 19.7(e) - *incurring debts to an extent considered by the Management as excessive."*

11. On receipt of the charge sheet the workman submitted an explanation denying his involvement. The management found that the explanation submitted by the workman was unsatisfactory and hence ordered an enquiry placing him under suspension pending enquiry. The enquiry officer conducted the enquiry in accordance with the principles of natural justice affording fair and reasonable opportunity to the workman. He participated in the enquiry and he was assisted by Shri V. J. Johny, Assistant Secretary, SBTEU, as per his request. The enquiry officer submitted the report finding that the workman is guilty of charge Nos.1, 3 and 8 in the charge sheet. Thereafter the management served a copy of the enquiry report to the workman with a request to submit his representation if any against the findings of the enquiry officer. The disciplinary authority considered the submission by the workman and issued an order proposing to impose the punishment of dismissal from service. Against the proposed punishment the disciplinary authority afforded the workman an opportunity of hearing and thereafter the disciplinary authority passed the punishment of dismissal as per order No.DGM/EKM/DPS/109/1999-2000 dated 29.01.2000. Against that order the workman preferred an appeal before the appellate authority which was ended in dismissal.

12. The punishment imposed by the management is just, proper and in consonance with the gravity of misconduct committed by the workman. Being an employee in a banking institution the workman is bound to maintain absolute devotion, diligence, integrity and honesty especially while holding charge as cashier entrusted with money and valuable gold ornaments pledged with the bank. The contention of the workman that the enquiry is vitiated and against the facts and circumstance of the case is not sustainable. The punishment imposed by the management is not arbitrary or illegal. The punishment of dismissal is just and commensurate with the gravity of the acts of misconduct committed by the workman.

13. In case this Tribunal finds that the enquiry and the disciplinary proceedings initiated against the workman is vitiated or defective in any manner, the management has requested permission to adduce evidence and prove the guilt of the workman to justify the disciplinary action initiated against the workman. The management has requested to uphold their contentions.

14. After filing written statement by the management the workman submitted rejoinder reiterating the contentions in the claim statement. The workman has stated that the management failed to produce the gold loan third party release letter file and courier pick up sheet to prove his innocence. The then Manager-in-charge would have intentionally destroyed those documents to wash off his hands since he is the joint custodian of gold and cash. As per the instructions in the "Book of instructions", the workman repaid the amount that was found short. The management failed to trace out the heads under which the shortage of money occurred. The joint custodian on 04.04.1998 countersigned the vault register without finding any error. Apart from this the gold mentioned in charge No.3 was subsequently released by the bank on 09.04.1998 after the suspension of the workman from service. Apart from this the bank reported before the police authorities that the gold which was alleged to be missing were available with the bank and that the workman made good shortage of cash. The workman has requested to uphold his contentions.

15. At the stage of preliminary enquiry, on behalf of the management MW1 was examined and Ext.M1 was the document marked. After the dismissal of the Writ Petition No.WP(C) No.34966/2010 dated 22.12.2015, on behalf of the management MW2 was examined as a witness and Exts.M2 to M14 were marked. Exts.M5 and M8 to M12 were marked subject to proof. Heard both sides.

16. The points arising of consideration are:

- “(i) **Whether on 04.04.1998 the workman misappropriated a sum of ₹31,500/- from the cash held by him during the normal course of duty as cashier-in-charge and joint custodian of the cash?**
- (ii) **Whether the workman committed misconduct or willful damage or attempted to cause damage to the property of the bank or any of its customers?**
- (iii) **Whether the workman has done any act prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss?**
- (iv) **Whether the workman has done any act amounting to neglect of work or negligence in performance of duties?**
- (v) **Whether the workman has incurred debts to an extent considered by the management as excessive?**
- (vi) **Whether the dismissal from service of Shri V. Rajagopal, Cashier-in-charge at the Pottenkadu branch of State Bank of Travancore by the management of State Bank of Travancore is legal and justifiable?**
- (vii) **If not, what the relief the workman is entitled to?”**

17. Point Nos.(i) to (vi):- The workman Shri V. Rajagopal involved in this reference, joined the services of the management bank as peon in the year 1981 and in the year 1990 he was promoted as cashier. While holding charge as cashier in charge at the Pottenkadu branch of the State Bank of Travancore; he was served with a charge sheet dated 04.08.1998 by the management. Ext.M3 document marked on behalf of the management is the charge sheet dated 04.08.1998 issued by the Regional Manager V, State Bank of Travancore, Thiruvananthapuram, to the delinquent workman. As many as eight charges under different heads were levelled against the workman. According to the management the workman has committed misconduct under the following clauses of Bipartite Settlements rendering him liable for appropriate punishments. The misconduct alleged against the workman are:-

- 19.5(d) - *Willful damage or attempt to cause damage to the property of the Bank or any of its customers.*
- 19.5(e) - *Willful insubordination or disobedience of any lawful and reasonable orders of the Management or of a superior.*
- 19.5(j) - *doing acts prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss.*
- 19.7(c) - *neglect of work, negligence in performing duties.*
- 19.7(e) - *incurring debts to an extent considered by the Management as excessive.*

18. Before serving charge sheet on the workman the management issued a memo dated 07.04.1998 requiring him to submit explanation and he was placed under suspension pending enquiry. The workman submitted explanation before the management which was not acceptable to them and hence issued Ext.M3 charge sheet. Against the charge sheet also the workman submitted Ext.M4 explanation denying the charges. The enquiry officer who conducted the enquiry submitted the enquiry report which forms part of the Ext.M1 file finding that the workman is guilty under charge Nos.1, 3 and 8. The enquiry officer found that the management failed to prove the charges under the remaining heads as per the charge sheet. As per the final order dated 29.01.2000 the disciplinary authority ordered dismissal of the workman from service with immediate effect and that the period of suspension is as such – off duty with no benefits of increment and that he shall not be eligible for any benefit other than what he has already drawn.

19. The workman challenged the dismissal order and contended that he is innocent and the proceeding initiated against him by the management is illegal and unjust. He sought reinstatement with all benefits due to him.

20. The management has contended that the workman is guilty of misconduct and that the punishment imposed by them is just, proper and in consonance with the gravity of misconduct committed by the workman. They have also stated that the workman being an employee in a banking institution is bound to maintain absolute devotion, diligence, integrity and honesty and particularly as cashier entrusted with money and valuable gold ornaments pledged with the bank. According to the management there is no ground to interfere with the punishment imposed on the workman.

21. The management has stated that as per the provisions in the Books of Instructions when there is cash shortage due to misappropriation or other cause the bank will not be in a position to close the cash without making good the cash shortage by debiting Protested Bills of Account with the amount of cash shortage. They have stated that the workman cannot put blame on the joint custodian.

22. The learned counsel for the management bank submitted that the workman has committed gross misconduct as provided under clauses 19.5(d); 19.5(c); 19.5(j); 19.7(c) and 19.7(e) of the Bipartite Settlements and hence liable to be proceeded against. Even though the management has proceeded against the workman under charge nos.1, 3 and 8 as per the charge sheet, they are stressing on charge no.1 that the workman on 04.04.1998 misappropriated a sum of ₹31,500/- from the cash held by him during the normal course of his duty as cashier-in-charge and joint custodian of cash. The learned counsel for the management submitted that the evidence tendered by MW2, the then Manager of Pottenkad branch reveal that the workman has misappropriated a sum of ₹31,500/- on 04.04.98 and hence liable to be proceeded against. The learned counsel for the management relied on the entries in Exts.M5 and M12 documents to substantiate the plea of misappropriation. The learned counsel has submitted that as per Ext.M5 document the opening balance is ₹3,01,573.45 but closing balance is ₹2,05,000/- apart from the cash in hand of ₹13,533.45. It is submitted that as per Ext.M12 Vault Register the balance at the time when the last entry by the workman is noted as ₹2,05,000/- whereas on the same date after physical verification by another cashier Mr. Krishna Kumar, the actual amount of cash balance was ₹1,75,000/-. It is submitted that the actual cash balance ought to have been ₹2,05,000/- and hence it is evident that the workman has misappropriated the sum of ₹31,500/- as stated in the charge sheet. It is submitted that the closing balance on the previous day was ₹3,01,573.45 and the opening balance on the next day i.e., on 04.04.1998 was ₹3,01,573.45 after adjusting the payments and receipts the balance ought to have been ₹2,18,533.45 giving credit to the cash at hand amounting to ₹13,533.45. The learned counsel submitted that the workman has misappropriated the amount and hence disciplinary proceedings were initiated against him and the punishment imposed by the management is just and proper.

23. The learned counsel for the workman submitted that the workman has not misappropriated the amount of ₹31,500/- as alleged in the charge sheet. It is submitted that there was no misappropriation and that the shortage of ₹31,500/- occurred while the workman was on duty as cashier-in-charge was made good by him on the next working day i.e., 06.04.1998. The learned counsel submitted that there was no misappropriation on the part of the workman. It is submitted that as per Ext.M2 memo of charge dated 07.04.1998 the allegation against the workman is that the management detected a shortage of ₹31,500/- in the closing cash balance. It is submitted that nowhere in Ext.M2 memo dated 07.04.1998 the management had a case that the workman has misappropriated the sum of ₹31,500/- on 04.04.1998 while on duty as cashier-in-charge at the management bank. The learned counsel submitted that only in the charge sheet dated 04.08.1998 the management has alleged misappropriation against the workman. The learned counsel submitted that the management has not produced any documents to prove that the shortage of cash mentioned in Ext.M2 document was due to misappropriation of cash by the workman. It is submitted that the workman has admitted the shortage in cash and made good the loss on the next working day by remitting the amount.

24. The crucial aspect to be considered is whether the act complied of by the management against the workman is shortage of cash or misappropriation of money. If it comes under 2nd category the management is justified in proceeding against the workman and imposing punishment. If it is shortage of money and if it occurred due to the negligence of the workman he has to be proceeded against in accordance with the relevant clauses in the Bipartite Settlements. The learned counsel for the workman submitted that the entries in the cash balance register Ext.M5 or in the Vault Register – Ext.M12 do not reveal that this is a case of misappropriation on the part of the workman. It is submitted that Ext.M6 document prepared by the management bank on 04.04.1998 reveals that it is a 'cash shortage at the close of cash at the counter of V Rajagopal, Head Cashier on 4-4-98'. In Ext.M7 document also the request of the workman was to adjust the amount by debiting in PB account and he sought permission to make good the shortage immediately. Admittedly the workman paid the sum of ₹31,500/- on the next working day i.e., on 06.04.1998. It is only after that the management issued Ext.M2 memo stating that there was shortage of cash to a tune of ₹31,500/- while on duty as Head Cashier by the workman.

25. While examined as MW2 the then Manager of the Pottenkad branch explained the manner in which the cash is taken out from the safe and replaced in the safe as and when required during the day's transaction in the bank. He has also explained the procedure to be followed in case there is shortage of cash. MW2 has stated that when there is misappropriation the matter will be reported to the controlling authority. He has stated that there is no document to prove that the issue of misappropriation was reported to the controlling authority and on the basis of which the controlling authority conducted an enquiry regarding misappropriation and entered a finding to that effect.

26. MW2 has stated that the register regarding cash balance is in the joint custody of the Manager and the workman. He has stated that the Vault Register is also in the joint custody of the workman and the Manager. MW2 has stated that the opening balance in the cash balance book will be the closing balance of the previous day. He has stated that the cash taken out from the vault in section wise will be recorded in the Vault Register. In the cash balance register, the amount retained in the box will also be added to make out the actual opening balance. He has submitted that in the cash balance book initially cashier will put his signature and after verifying the same the Manager also will put his signature and only after that the cash will be kept inside the safe and the entry to the effect will be made in the Vault Register. MW2 has admitted that in Ext.M5 document the workman as well as himself put

signature after striking out the cash balance. He has stated that if there is any defect in the entries in the register then the actual balance will be recorded. He has admitted that in Ext.M5 document no such defect is recorded. He has stated that in the Vault Register the discrepancy is noted. MW2 has stated that on verification of the receipts and payments by denomination-wise the details of the amount remitted and the details of the payments effected can be verified except that there will be minor variations. MW2 has stated that on 04.04.1998 no such verification was also done. MW2 has stated that on 04.04.1998 the Manager of Adimaly branch Mr. Thomas and Mr. Krishnakumar verified the cash balance and recorded the same and a report to that effect was submitted before the Regional Office.

27. Learned counsel for the workman submitted that if there is misappropriation the matter will have to be reported to the controlling authority and on the basis of their instruction the matter will have to be reported before the police. In this case admittedly there is no report of misappropriation before the police by the management. MW2 has stated that in the normal course if there is loss of cash from the joint custodian both the custodians are responsible for the same. He has admitted that he received a memo regarding the shortage of money on 04.04.1998 and that he received a charge sheet to that effect on 31.03.2000. He has stated that the management imposed a punishment of barring promotion for one year on him. MW2 has admitted that regarding the shortage there was no investigation except inspection by the Adimaly Branch Manager. He has stated that before the enquiry officer the witness Mr. Krishnakumar has gave evidence to the effect that the shortage was from the hand balance.

28. On an evaluation of the evidence tendered by MW2 and the documents marked on behalf of the management it can be seen that the management has failed to prove the allegation of misappropriation of a sum of ₹31,500/- against the workman. The independent evidence adduced by the management after the disposal of the Writ Petition by the Hon'ble High Court of Kerala and the supporting documents produced by them will not in any way prove the misappropriation of a sum of ₹31,500/- by the workman involved in this case. Therefore the major charge against the workman under clause 19.1(d) and 19.1(j) of the Bipartite Settlement stands disproved. At the most it can be held that there was neglect of work or negligence on the part of the workman in performing duty while handling cash, as provided under clause 19.7(c) of the Bipartite Settlement which is a minor misconduct which does not vitiate the punishment of dismissal from service of the workman.

29. Therefore it is held that the management has failed to prove the gross misconduct of misappropriation alleged against the workman. At the most it can be held that the workman has failed to take due diligence while working as cashier and dealing with cash in the management bank. In such circumstance the joint custodian of cash who is none other than MW2 is also equally responsible for the shortage of cash especially in view of the entries in Ext.M12 Vault Register. Admittedly the management has imposed the punishment of stoppage of promotion for one year on MW2 on the charges of shortage of cash. The disparity in the imposition of punishment on the workman and MW2 by the management reveal that the management acted in a partisan manner and against the interest of the workman and that their action caused prejudice to him. The action of the management cannot be just or reasonable. There should be justification in imposing the same type of punishment on the joint custodian as well. In view of the fact that the workman has made good the shortage of cash immediately on the next working day and that the bank has accepted and acknowledged the same, it cannot be held that there was willful misuse or misappropriation of money on the part of the workman while handling the cash in the management bank. In such circumstance at the most on parity with the punishment imposed on the MW2 the punishment that can be imposed on the workman can only be to stop promotion for one year and nothing more.

30. In view of the discussion made above it is held that the punishment of dismissal from service imposed by the management on the workman is disproportionate, unjust and hence not sustainable in law. Since the workman being the joint custodian and responsible for the shortage of cash to the tune of ₹31,500/- his promotion shall be withheld for a period of one year and he shall be reinstated forthwith with all service benefits and his promotion shall be barred for one year. The points are answered accordingly.

31. Point No.(vii):- In view of the point Nos.(i) to (vi) an award is passed holding that the punishment of dismissal from service imposed by the management on Shri V. Rajagopal, Cashier-in-charge at the Pottenkadu branch of the State Bank of Travancore is illegal and unjustified. The workman shall be reinstated forthwith with all service benefits. His promotion shall be withheld for a period of one year from the date of suspension. He shall be paid all service benefits right from the date of suspension till date of reinstatement.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 20th day of July, 2016.

SASIDHARAN K., Presiding Officer

APPENDIX**Witnesses for the workman**

NIL

Witnesses for the management

MW1	22.11.2007	Shri. Mathews John
MW2	16.03.2016	Shri. Jayaprakashan K.G.

Exhibits for the workman

NIL

Exhibits for the management

M1	-	Enquiry file
M2	-	Duplicate Memo vide No.RMII/E/4 dated 07.04.1998 issued by the Disciplinary Authority, State Bank of Travancore, Head Office, Poojappura, Thiruvananthapuram to the workman.
M3	-	Charge Sheet vide No.RM V/EKM/DPS/152/98-99 dated 04.08.1998 issued by the Regional Manager V/Disciplinary Authority, State Bank of Travancore, Head Office, Poojappura, Thiruvananthapuram to the workman.
M4	-	Reply to the Charge Sheet dated Nil addressed to the Regional Manager V(Disciplinary Authority), State Bank of Travancore, Zonal Office, Ernakulam by the workman.
M5	-	Copy of relevant page of Cash Balance book dated 04.04.1998 submitted by the Branch Manager, State Bank of Travancore, Pottankad branch.
M6	-	Protested Bills account Debit Voucher dated 04.04.1998 for an amount of ₹31,500/- drawn against the workman.
M7	-	Letter dated 04.04.1998 addressed to the Manager, State Bank of Travancore, Pottankad by the workman.
M8	-	Copy of relevant page of Keys Transactions Register (Page No.12) submitted by the Branch Manager, State Bank of Travancore, Pottankad branch.
M9	-	Copy of relevant page of Cash Balance book dated 03.04.1998 submitted by the Branch Manager, State Bank of Travancore, Pottankad branch.
M10	-	Copy of relevant page of Cash Receipts Register dated 04.04.1998 (page No.8) submitted by the Branch Manager, State Bank of Travancore, Pottankad branch.
M11	-	Copy of relevant page of Cash Payments Register dated Nil (page No.154) submitted by the Branch Manager, State Bank of Travancore, Pottankad branch.
M12	-	Copy of relevant pages of Vault Register(page Nos.116 & 117) submitted by the Branch Manager, State Bank of Travancore, Pottankad branch.
M13	-	Current Account Pay-in-Slip dated 06.04.1998 for an amount of ₹31,500/- paid into the credit of the workman.
M14	-	Savings Bank Account Ledger Sheet from 11/1997 to 12/2003 of Account No.Staff 10 in the name of the workman maintained by State Bank of Travancore, Pottankad.

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 33.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स कैथोलिक सीरियन बैंक लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, एर्नाकुलम के पंचाट (संदर्भ संख्या 26/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-12011/12/2011-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 33.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 26/2011) of the Central Government Industrial Tribunal/Labour

Court, Ernakulam now as shown in the Annexure, in the industrial dispute between the management of Catholic Syrian Bank Ltd. and their workman, received by the Central Government on 28.12.2016.

[No. L-12011/12/2011-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ERNAKULAM

Present : Shri. K. Sasidharan, B. Sc., LLB, Presiding Officer

(Monday the 30th day of May, 2016/09th Jyaistha, 1938)

ID No. 26/2011

Union : The General Secretary,
Catholic Syrian Bank Staff Association,
AIBEA House, Kaliath Royale Square,
Place Road,
Thrissur (Kerala) – 680020
By M/s. H. B. Shenoy Associates

Management : The Chairman,
Catholic Syrian Bank Ltd.,
Head Office,
Thrissur (Kerala).
By M/s. B.S. Krishnan Associates

This case coming up for final hearing on 18.05.2016 and this Tribunal-cum-Labour Court on 30.05.2016 passed the following:

AWARD

In exercise of the powers conferred by clause (d) of sub-section(1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (Act 14 of 1947) the Central Government referred the following dispute before this Tribunal for adjudication.

2. The dispute is:

“Whether the action of the management of the Catholic Syrian Bank Limited Trichur, in imposing the punishment of compulsory retirement from service on Shri Manu Jose, Sub-staff, Kadambanad branch vide their order dated 26/6/2010, is legal and justified? To what relief the workman is entitled?”

3. After the receipt of reference Order No.L-12011/12/2011-IR(B-I) dated 12.07.2011, issued by the Ministry of Labour, Government of India, summons was issued to the parties to appear and answer all material questions relating to the dispute and produce documents to substantiate their respective contentions. The union and the management entered appearance through counsel and submitted their pleadings.

4. The contentions in the claim statement filed by the union in brief are as follows:

The workman Shri. Manu Jose, involved in this reference was employed as a Sub-staff at the Kadambanad branch of the management bank. The management placed him under suspension pending enquiry as per letter dated 30.09.2009, issued by the disciplinary authority. The allegation against the workman is:

- “- that he had without any reason or provocation shouted against the Manager – Shri. P.V. George, by using abusive language and then manhandled him;
- that several oral and written complaints were received against the workman’s misbehavior from the customers as well as general public and it has affected the reputation of the bank; and
- that during office hours the workman was in the habit of behaving in a short tempered and indisciplined manner inside the branch. Even though the Branch Manager – Shri. K. J. Joseph counseled him and advised him to behave in a proper manner, the workman failed to mend his ways and his behaviour affected the smooth functioning of the branch.”

5. Accordingly a charge sheet dated 10.11.2009 was served on the workman by the disciplinary authority of the management bank. The workman submitted explanation denying the allegations levelled against him. The management ordered domestic enquiry. They appointed Shri P. J. Santhosh Tomy, Deputy Zonal Manager, Zonal

Office, Ernakulam as the enquiry officer and Shri. M. Vasudevan, Senior Manager(Law) at their Head Office, Thrissur, as the Presenting Officer. The enquiry officer conducted a farce, namesake and partisan enquiry, in violation of the principles of natural justice and denying the workman reasonable opportunity to substantiate his contentions. The enquiry officer submitted a report finding that the workman is guilty of charge numbers one and three as alleged in the charge sheet. The enquiry officer found that the charge No.2 has not been proved. Thereafter the management served a copy of the enquiry report and requested him to make his submissions against the findings of the enquiry officer. The workman submitted his objections on 07.06.2010. Subsequently the disciplinary authority after hearing the workman, imposed the punishment of compulsory retirement from service. The workman has stated that the punishment imposed is arbitrary, illegal, excessive and highly disproportionate to the charges alleged against him. He has denied the allegation of misconduct, stated by the management. According to the union the workman was punished on the basis of mere suspicion, surmises and conjectures and without any concrete evidence against him. Therefore the union has requested to declare that the punishment imposed by the management is illegal, unjust and highly disproportionate in relation to the charges levelled against him.

6. The contentions in the written statement filed by the management in brief are as follows:-

The workman joined the management bank as probationary peon on 22.01.2007 at the Kadampanad branch, under the Voluntary Retirement Scheme opted by his father. The branch Manager of Kadambanad branch reported that at about 02:30 pm on 28.08.2009 the workman and the Manager Shri. P. V. George were talking in the dining hall of the branch relating to the remittance of cash to the pooling branch. While so the workman shouted rude words against Shri. P. V. George and suddenly without any reason Shri. Manu Jose caught and pressed the neck and stomach of Shri. P. V. George with his knee. Apart from the aforesaid incident, the branch received oral and written complaints from the public of Kadambanad against the workman. Subsequently the workman gave a letter admitting his mistake. He promised that he will not repeat such instances in future. The management conducted a preliminary investigation through Shri. Allie Francis, the Deputy Zonal Manager who submitted a report dated 19.09.2009 to the effect that the incident reported as per the letter from the branch Manager is true and correct. The Investigating Officer further reported that the workman was short tempered, living beyond his needs, always short of money, regular in consuming liquor and beaten up by outsiders on a couple of occasion. After the receipt of the investigation report the management placed the workman under suspension and he was relieved on suspension on 30.09.2009. Subsequently a charge sheet was issued to him on 10.11.2009. The charges alleged against him are :

- i) Riotous and disorderly behaviour in the premises of the bank;
- ii) Willful insubordination and disobedience to the lawful and reasonable orders of superiors; and
- iii) Doing acts prejudicial to the interest of the bank.

7. The explanation submitted to the charge sheet by the workman was not satisfactory and hence the management ordered domestic enquiry against him. The management appointed Shri. P. J. Santhosh Tomy, Deputy Zonal Manager, Ernakulam as the enquiry officer and Shri. M. Vasudevan, Senior Manager(Law) as the presenting officer. The workman was represented by Shri. Jimmy. C. Akkarapatty, a representative of his choice. The defence representative was an office bearer of the union wherein the workman was a member. The workman and his representative actively participated in the domestic enquiry. All the management witnesses were cross examined by the defence representative. The enquiry officer afforded full and reasonable opportunity to the workman to substantiate his contentions. The findings of the enquiry officer is to the effect that charge Nos.(1) and (3) levelled against the workman as per the charge sheet are proved. The enquiry officer held that charge No.2 is not proved.

8. Subsequently the management forwarded a copy of the enquiry report to the workman so as to enable him to make his submissions against the finding of the enquiry officer. The disciplinary authority considered the comments and after hearing the submission by the workman imposed the punishment of 'compulsory retirement from service with superannuation benefits'. The appeal preferred against that order was dismissed by the appellate authority. The management has requested to uphold their contentions.

9. After filing written statement by the management, the union filed replication reiterating the contentions in the claim statement.

10. As requested by the counsel for the parties, the validity of the domestic enquiry was considered as a preliminary point. As per order dated 18.03.2016 it was held that the domestic enquiry conducted by the management was valid.

11. After passing the preliminary order the learned counsel appearing for both sides were heard.

12. The points arising for consideration are:

- “(i) Whether the punishment imposed by the management against the workman is just, legal and proper?”**
- (ii) Whether the punishment imposed by the management is disproportionate to the gravity of the misconduct alleged against him?**

(iii) To what relief the workman is entitled?"

13. Point Nos.(i) & (ii):- The workman involved in this reference Shri Manu Jose was employed as a sub-staff at the Kadambanad branch of the management bank. As per the letter dated 30.09.2009 the disciplinary authority placed the workman under suspension pending enquiry. The allegations levelled against the workman are that he has committed several acts of gross misconduct while working as peon at the Kadambanad branch. The charges levelled against him are:

- (i) Riotous and disorderly behaviour in the premises of the bank;
- (ii) Willful insubordination and disobedience to the lawful and reasonable orders of superiors; and
- (iii) Doing acts prejudicial to the interest of the bank.

On receipt of charge sheet the workman submitted explanation against the allegations levelled against him. The management has stated that the explanation submitted by the workman was not satisfactory and hence they ordered domestic enquiry. They appointed Shri P. J. Santhosh Tomy, Deputy Zonal Manager as the enquiry officer and Shri M. Vasudevan, Senior Manager(Law) as the presenting officer. The contention of the union is that the enquiry officer was biased and that no opportunity was afforded to the workman to substantiate his contentions. It is submitted that the enquiry is vitiated. According to the workman the finding of the enquiry officer is erroneous, perverse and biased.

14. As per the order dated 18.03.2016 this Tribunal found that the enquiry conducted by the management is valid and proper. The charges alleged against the workman are gross misconduct. The enquiry officer has considered the contentions raised by both sides. The fact that the workman involved in this reference shouted rude words towards his superior officer during office hours inside the management bank is proved in the enquiry. His behaviour was riotous and disorderly. Moreover he misbehaved towards his superior officer inside the bank premises. His action requires deterrent punishment.

15. The learned counsel for the management referred to the ruling reported in Madhya Pradesh Electricity Board Vs. Jagdish Chandra Sharma – CDJ 2005 SC 297 – Civil Appeal Nos.1339 & 1340 of 2003 in W.P. No.460 of 1999 dated 04.03.2005 passed by the Hon'ble Supreme Court of India. In that ruling the Hon'ble Supreme Court has held:

"Madhya Pradesh Industrial Relations Act, 1962 – Section 107A – Disciplinary Proceedings – Guilty of hitting and injuring his Superior Officer at the Work Place – Correspondents to Section 11A of the Industrial Disputes Act – Employee has been found guilty of hitting and injuring his superior officer at the work place, obviously in the presence of other employees. This clearly amounted to breach of discipline in the organization. Discipline at the work place in an organization like the employer herein, is the sine qua non for the efficient working of the organization. When an employee breaches such discipline and the employer terminates his services, it is not open to a Labour Court or an Industrial Tribunal to take the view that the punishment awarded is shockingly disproportionate to the charge proved. We have already referred to the views of this Court – When in such a situation, a punishment of termination is awarded for hitting and injuring a superior officer supervising the work of the employee, with no extenuating circumstance established, it cannot be said to be not justified. It cannot certainly be termed unduly harsh or disproportionate. The Labour Court and the High Court in this case totally misdirected themselves while exercising their jurisdiction. The Industrial Court made the correct approach and came to the right conclusion."

16. Considering the nature of the misconduct committed by the workman it is evident that the punishment imposed by the management against the workman is in proportion to the gravity of the allegations levelled against him. In such circumstance it will not be just, reasonable or proper to alter or modify the punishment imposed by the management on the workman. Therefore the points for consideration are answered to the effect that the punishment imposed by the management on the workman is just, proper and in proportion to the gravity of allegations levelled against him.

17. Point No.(iii):- In the result an award is passed holding that the workman is not entitled to any relief as per this reference.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 30th day of May, 2016.

SASIDHARAN K., Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 34.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 417/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-12012/147/2003-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 34.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 417/2005) of the Central Government Industrial Tribunal/Labour Court-II, Chandigarh now as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workman, received by the Central Government on 28.12.2016.

[No. L-12012/147/2003-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH****Present:** Sri Kewal Krishan, Presiding Officer**Case No. 417/2005**

Registered on 19.08.2005

Sh. Bhola Ram Sharma, C/o J.N. Kapur, 33-34, Bank Enclave,
Ring Road, Rajouri Garden, New Delhi-110027

...Applicant

Versus

1. The State Bank of India, through Asstt. General Manager,
Region-I, Zonal Office, Haryana, Sector 8C, Chandigarh-160008

...Respondent

APPEARANCES :

For the workman - Sh. C.L. Sharma, Adv.

For the management - Sh. N.K. Zakhmi, Adv.

AWARD

Passed on : 10.08.2016

Vide Order No.L-12012/147/2003-IR(B-I), dated 12.09.2003 the Central Government in exercise of the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of Industrial Disputes Act, 1947 (in short Act) has referred the following industrial dispute for adjudication to this Tribunal.

“Whether the action of the management of State Bank of India imposing the penalty to dismissing the services of Sh. Bhola Ram Sharma, Record Keeper w.e.f. 29.9.2000 is just and legal? If not, what relief the workman is entitled to?”

In response to the notice, the workman submitted statement of claim to which reply was filed by the management.

The facts, emerging, are that workman joined the respondent-management on 18.6.1974 as Peon and was promoted as Record Keeper on 3.8.1984 and posted at Karnal Branch since 1996. He being less educated, was not required to perform any clerical duty. The bank got a case registered against the Directors of M/s Anmol(India) Ltd. and his name was not mentioned therein. However, he was placed under suspension and a charge sheet was issued to him containing false charges vide letter dated 7.6.1999. The respondent-management appointed an enquiry officer, who conducted the enquiry in a most arbitrary manner as he was a biased person. On the basis of the enquiry report, he was dismissed from service vide order dated 29.9.2000. He preferred an appeal which was also dismissed.

It is pleaded that he was made a scapegoat to protect the senior officials of the bank. He was forced to work on a seat with which he was not acquainted nor was eligible for any higher clerical post. He has been victimized and he be reinstated in service.

According to the management, the workman while working as Clerk on cash credit counter at Kaithal, committed certain acts of misconduct which facilitated M/s Anmol Agro India Limited to defraud the Bank to the tune of Rs.2.60 crores. He was charge sheeted to which he submitted reply and an enquiry officer was appointed to conduct the enquiry. The enquiry officer held the enquiry in a fair manner by observing the principles of natural justice. The enquiry officer submitted a report which was considered by the Disciplinary Authority, who issued a show case notice of proposed punishment. The workman was given an opportunity of personal hearing on 28.8.2000. The Disciplinary Authority after hearing the workman, passed the final order on 29.9.2000, imposing a penalty of dismissal from service. There is no defect in conducting the enquiry and considering the acts of misconduct, the punishment was awarded which is legal.

The enquiry was held to be fair and proper vide order dated 17.06.2015, which has not been challenged by the workman. Thereafter, the case was adjourned for hearing of arguments whether the imposed penalty is commensurate with the acts of omission and commission of workman.

I have heard Sh. C.L. Sharma for the workman and Sh. N.K. Zakhmi for the management and perused the file.

It may be added that following charge-sheet was issued to the workman:-

1. ***Sh. Bhola Ram Sharma posted Cheque No.692883 Dated 20.2.1998 for Rs.18308707.80, in the Cash Credit Account No.51 of M/s Anmol Agro India Ltd. on 20.2.98 against credit vouchers of Rs.90 Lac, Rs.90 Lac, Rs.80 Lac and Rs.60 Lac covering cheques sent in clearing, on behalf of the above company and did not enter the cheques in Cheque Referred and Returned Register for getting the authorization of the competent authority for payment.***
2. ***He struck off the above four credit entries of Rs.90 lac, Rs.90 lac, Rs.80 lac and Rs.60 lac in the above cash credit A/c of aforesaid company without authorization on 20.2.98.***
3. ***On 2/3/98, he connived with Sh. Sanjeev Kumar, Director of M/s Anmol Agro India Ltd. and approached Sh. Prem Singh Thakur, Asstt.(Accts.) working on clearing seat for sending accommodation Cheques Nos. 118220 to 118222 for Rs.90 lac, Rs. 90 lac, and Rs.80 lac respectively aggregating Rs. 2.60 crore drawn by M/s Mahalakshmi Rice Mills, an associate concern of the above company to Central Bank of India, in special collection, knowing well that drawer of the above cheques i.e. M/s Mahalakshmi Rice Mills were not keeping sufficient funds in their account for payment thereof.***
4. ***He made superfluous credit entries of Rs.90 lac, Rs.90 lac and Rs.80 lac aggregating Rs.2.60 crore and against these credit entries, posted four cheque nos.692892 to 692895 for Rs.25 lac, Rs.25 lac, Rs.2 crore and Rs.10 lac respectively each dated 2.3.98, on 2.3.98 in the said account of M/s Anmol Agro India Ltd. and wrongly confirmed to the passing official of having received the credit against above payments of the cheques drawn by the company.***
5. ***He did not enter the above four cheques i.e. 692892 to 692895 in Cheque Referred and Returned register for seeking authorization of the competent authority for payment against uncleared effects.***
6. ***He did not post above three clearing credit vouchers for Rs.90 lac, Rs.90 lac, and Rs.80 lac meant for the cash credit account No.51 of M/s Anmol Agro India Ltd. on 3rd March 1998."***

During the enquiry, evidence was led and documents were produced. After considering the evidence on record, the enquiry officer came to the conclusion that the charge Nos.1 to 5 are proved against the workman, that the workman posted cheque No.692883 dated 20.2.1998 for Rs.18308707.80 in the cash credit account No.51 of M/s Anmol Agro India Ltd. On 20.2.1998 against credit voucher of Rs.90 lac, Rs.90 lac, Rs.80 lac and Rs.60 lac and later on struck out the above said entries. He got cleared cheque No.118220 to 118222 of Rs.90 lac, Rs.90 lac, and Rs.80 lac aggregating with Rs.2.60 crore in special collection and thereafter did not enter the said cheques in cheque referred and returned register for seeking authorization of competent authority for payment against uncleared cheques. The documents were produced before the enquiry officer which clearly established that the workman did make entries in the bank record and facilitated the withdrawal of sum of Rs.2.60 crore.

The learned counsel for the workman submitted that a case bearing FIR No. RC No.51A 1998E 007-51U(X) dated 5.11.1999 was registered by the CBI against the workman and others and all the accused were acquitted by the CBI Court vide judgment dated 15.1.2013 and since the workman was also acquitted, a lenient view taken in view of

the provisions of Section 11A of the Act for awarding punishment to the workman. Suffice to say that the workman and others faced trial regarding the embezzlement of the amount and the trial court held in the last para of the judgment as follow:-

The job of accused Bhola Ram was merely to make necessary entries of cheques in the ledger sheet after passing the same and in view of the practice prevailing that the entry into the account made twice initially when the cheques were presented and whenever, the cheques were returned paid/upheld. PW-24 Jatinder Nath Kapil categorically admitted that the Ledger Clerk cannot make the payment to the parties. He also admitted that before debiting the amount in the account of ledger of the party, credit entry is made in the party account. Similarly, the other witnesses stated that accused Bhola Ram was not competent either to pass the cheque or make the payment. He was only competent to make the entried after passing the credit slips attached with the cheques. When the accused was not having any power to pass the cheques or render any help to accused Sanjiv Kumar in cleaning the cheques, then the question of favouring tto accused does not arise by abusing his position as public servant.”

The learned counsel submitted that since the workman was acquitted by the criminal Court and therefore, he be given benefit in the present case and he be reinstated in service.

It is a settled law that scope of criminal case is different to that of departmental proceedings as the both have conceptually different objectives, yardsticks and standard of proof. In the case of Ajit Kumar Nag Vs. General Manager(PJ), Indian Oil Corporation Limited, Haldia and others, reported in 2005 SCC(L&S) 1020. It was held as follow:-

“....They operate in different fields and have different objectives. Whereas the object of criminal trial is to inflict appropriate punishment on the offender, the purpose of enquiry proceedings is to deal with the delinquent departmental and to impose penalty in accordance with the service rules. In a criminal trial, incriminating statement made by the accused in certain circumstances or before certain officers is totally inadmissible in evidence. Such strict rules of evidence and procedure would not apply to departmental proceedings. The degree of proof which is necessary to order a conviction is different from the degree of proof necessary to record the commission of delinquency. The rule relating to appreciation of evidence in the two proceedings is also not similar. In criminal law, burden of proof is on the prosecution and unless the prosecution is able to prove the guilt of the accused “beyond reasonable doubt”, he cannot be convicted by a court of law. In a departmental enquiry. On the other hand. Penalty can be imposed on the delinquent officer on a finding recorded on the basis of “preponderance of probability”. Acquittal of the appellant by a Judicial Magistrate, therefore, does not ipso facto absolve him from the liability under the disciplinary jurisdiction of the Corporation. We are, therefore, unable to uphold the contention of the appellant that since he was acquitted by a criminal court, the impugned order dismissing him from service deserves to be quashed and set aside.”

Thus, the acquittal in criminal case do not absolve the workman from the liability under the disciplinary proceedings initiated by the management. The learned trial court took the view that the workman was not competent either to pass the cheque or make the payment and he was competent only to make the entries after the passing of credit slips attached with the cheques. But the workman himself has admitted in his statement of claim that though he was posted as Record Keeper at Kaithal but he worked on a seat of which he was neither acquainted nor have knowledge of the job for any higher Clerical work. Again in his rejoinder, it is pleaded that he was forced by the management to perform duties on the seat of advances. Thus the workman himself pleaded that he was working on the seat of advances. It cannot be said that he was not competent to do the job he did in the present case. Moreover he was not honorably acquitted by the criminal court. The criminal court do not exonerate the workman from charges framed during the enquiry proceedings and the evidence led therein is also not the same as was produced before the criminal court. The enquiry officer considered all the material documents and came to a definite conclusion that the charge Nos.1 to 5 against the workman are proved.

Thus, no benefit can be given to the workman if he is acquitted by the criminal court.

He made wrong entries in the bank's books facilitating the withdrawal of Rs.2.60 crore fraudulently and considering the circumstances, no other view can be taken for awarding punishment to the workman than taken by the disciplinary authority and no ground is made to reduce the punishment.

In result, the reference is answered holding that the action of the respondent-management in imposing the penalty of dismissal from service to the workman w.e.f.29.9.2000 is just and legal and he is not entitled to any relief.

KEWAL KRISHAN, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 35.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 286/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-41012/197/2003-आईआर (बी-I)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 35.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 286/2005) of the Central Government Industrial Tribunal-cum-Labour Court-II, Chandigarh now as shown in the Annexure, in the industrial dispute between the management of Northern Railway and their workman, received by the Central Government on 28.12.2016.

[No. L-41012/197/2003-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present: Sri Kewal Krishan, Presiding Officer

Case No. 286/2005

Registered on 10.08.2005

Sh. Ramjas Pal S/o Sh. Mohan Lal, 335-L,
Railway Colony No.7, Ludhiana-141008

...Petitioner

Versus

1. Northern Railway, Ferozepur Cantt.
Through Divisional Railway Manager.
2. Northern Railway, Diesel Shed, Ludhiana.
Through Senior Divisional Mechanical Engineer

...Respondents

APPEARANCES :

For the workman : Sh. B.N. Sehgal, Adv.
For the Management : Sh. N.K. Zakhmi, Adv.

AWARD

Passed on :- 23.08.2016

Vide Order No.L-41012/197/2003-IR(B-I), dated 31.10.2003 the Central Government in exercise of the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of Industrial Disputes Act, 1947 (in short Act) has referred the following industrial dispute for adjudication to this Court.

“Whether the action of the management of the Divisional Railway Manager, Northern Railway, Ferozepur, Sr. Divisional Mechanical Engineer, Northern Railway, Diesel Shed, Ludhiana in removing Sh. Ramjaspal, Ex-Electrical Fitter from service is just and legal? If not what relief the workman is entitled to and from which date?”

In response to the notice, workman filed statement of claim to which written reply was filed by the management.

The facts, emerging, are that the workman joined as Diesel Cleaner in DSL Shed, Ludhiana on 18.08.1979 and was promoted as Electrical Fitter in 1986. He met with an accident on 13.12.1990 while he was on duty and suffered grievous injuries. He was removed to CMC Hospital from where he was referred to Railway Hospital, Ludhiana on 14.12.1990 and thereafter, he was referred to Divisional Railway Hospital, Ferozepur.

Now according to the workman, he was referred to Central Hospital, New Delhi and then to Diwan Chand Research Institution, New Delhi, and he is still under treatment. That he was wrongly discharged by Dr. Harinder Singh, DMO, Ludhiana, on 1.1.1992. Due to complications, he was treated in Central Hospital, New Delhi, who issued a certificate dated 04.10.1996 regarding his treatment. That he never remained absent from duty.

The management got conducted an enquiry for his alleged absence from 1.1.1992 to 31.10.1995 by appointing Sh. L.D. Verma as the enquiry officer, who exonerated him of the charges. The management again appointed Sh. J.P. Bhatia as the enquiry officer who arbitrarily held the charges as proved without considering the evidence and conducting the enquiry as per rules. It is further pleaded that the management was not competent to appoint a new enquiry officer as per rules and therefore, the enquiry conducted by Sh. J.P. Bhatia is illegal and consequently on its basis his removal from service is illegal.

It is pleaded by the management that the workman was declared fit to perform a light duty on 12.7.1991. He attended Divisional Hospital on 24.9.1991 and was referred to Central Hospital, New Delhi, for Ortho Specialist. It is further pleaded that after availing G-92 on 28.10.1991, he was attended by Sh. Harminder Singh, DMO, who discharged him. Thereafter, the workman remained absent from duty and did not inform his seniors about his sickness and about his admission in New Delhi Hospital. He was issued a charge-sheet in form No.5 bearing No.577-M/D&AR/DSL/482 dated 08.07.1995. It is admitted that an enquiry was conducted by Sh. L.D. Verma, but he did not get verified the documents produced by the workman and the Disciplinary Authority did not agree with his findings and since he was to retire shortly, the Disciplinary Authority appointed Sh. J.P. Bhatia as the enquiry officer to conduct the enquiry afresh. Sh. J.P. Bhatia after conducting the enquiry, found the charges 'as proved' against the workman and acting on this, the disciplinary authority removed him from service. That the proceedings conducted are legal and well.

I have heard Sh. B.N. Sehgal for the workman as well as Sh. N.K. Zakhmi for the management and perused the enquiry file.

A charge-sheet was issued to the workman for remaining absent from duty from 1.1.1992 onwards to which he filed written reply. The management appointed Sh. L.D. Verma as the enquiry officer. It is not disputed that the enquiry officer exonerated the workman from the charges but the disciplinary authority did not agree with the report and appointed Sh. J.P. Bhatia as the enquiry officer, who conducted the enquiry and submitted report with the following observations:-

"On going through the case, one Certificate(photo copy)dated 10.9.96 placed at Sr. No.42(Case No.482) was sent to the issuing authority for the verification under my letter No.577M/DAR/DSL/452 and 482 dated 23.7.97 placed at S.No.66. The issuing authority had clearly stated that he did not issue the certificate and moreover he had said that certificate had no authenticity. The certificate did not indicate as to whom and for whom the same has been issued i.e. it did not bear any name. Moreover, Sh. Ramjas Pal did not produce any of the following "original" document/certificate.

- (a) *G-92 issued by any Railway department.*
- (b) *Prescription slips which could indicate his ailment.*
- (c) *The certificate issued by Sr. DMO, Neuro-Specialist, Central Hospital, NDLS.*

Further, Sh. Ramjas Pal did not sent any sick or interim sick certificate to the Shed in support of his unauthorized absence from duty.

FINDINGS-

In view of the above facts, it is clear that Sh. Ramjas Pal had no original document to prove that he was actually sick or he was injured on duty. He had produced photo copy of the fake certificate or Neuro-Specialist, Central Hospital, NDLS to side track the enquiry and cover up the period of his unauthorized absence from duty.

Thus, the charges framed against Sh. Ramjas Pal, Elect. Fitter, T.No.756 of unauthorized absence from duty are proved as correct. Absence from 18.1.92 to 31.10.95."

Acting on this report, the disciplinary authority passed the punishment order removing the workman from service.

The only contention, raised by Sh. B.N. Sehgal is that the disciplinary authority can only remit the case to the enquiring authority for further enquiry and was not competent to appoint a new enquiry officer and has drawn my attention towards Rule10(1)(b) of the Railway Servants Disciplinary and Appeal Rules which is read as follow:-

"(b) is not itself the inquiring authority may for the reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold further inquiry according to the provisions of Rule 9, as far as may be."

Thus, as per rule, the case is to be remitted to the inquiring authority for further inquiry. In the present case, the disciplinary authority made the following observations:-

While going through the case, following observations are made:-

Enquiry has been conducted in haste as E.O. was to retire from service on 31.1.97 and enquiry report submitted on 22.1.97 just completing the formalities without going through the authenticity of the documents produced during the enquiry viz.

Whether the certificate filed at Sl. No.23 pertains to Sh. Ramjas Pal as it has not been mentioned to whom the certificate was issued, the dates on which Sh. Ramjas Pal visited hospital, as per photocopy attached at Sl No.31. The accused failed to attend the enquiry on 13.3.96, 12.8.96, 17.9.96, 22.10.96, 2.12.96 and 23.11.96.

As such the enquiry report is not accepted. And Sh. J.P. Bhatia was nominated as E.O. to conduct the enquiry again.

2.4.94

Thus, the disciplinary authority had gone through the report of Sh. L.D. Verma and observed that he was to retire on 31.1.1997 and submitted a report in haste and by pointing out the discrepancies, appointed a new inquiry officer vide order dated 2.4.1997 when Sh. L.D. Verma had already retired. Thus, in the present case, the disciplinary authority could not remit the case to the enquiring officer who has already retired but was right in appointing a new inquiry officer.

The charges against the workman are for remaining absent from 18.1.1992 to 31.10.1995 and the certificate he produced before the enquiry officer for having treatment in the hospital was proved to be fake and thus, his absence from duty was not justified in any way.

There is nothing on the file to suggest that enquiry was not conducted by Sh. Bhatia as per rules and the contention raised by the learned counsel that the disciplinary authority cannot appoint a new enquiry officer is of no avail in the present circumstances as stated above.

In result, it is held that the enquiry conducted in the present case is fair and legal.

It was argued by Sh. B.N. Sehgal that even if the workman remained absent from duty without informing his seniors, the punishment awarded to him is harsh and this Court should intervene by using its powers under Section 11(A) of the Industrial Disputes Act, 1947. Suffice to say that there is a long absence from duty on the part of the workman, who did not inform the authorities concerned regarding his sickness and rather he tried to produce fake documents during the enquiry. In the present circumstances, no other view can be taken as the one taken by the disciplinary authority and no ground is made out to award him lesser punishment.

In result, the reference is answered against the workman holding that the removal of the workman is just and legal and he is not entitled to any relief.

KEWAL KRISHAN, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 36.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 982/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-12012/140/2001-आईआर (बी-I)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 36.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 982/2005) of the Central Government Industrial Tribunal/Labour Court-II, Chandigarh now as shown in the Annexure, in the industrial dispute between the management of State Bank of Patiala and their workman, received by the Central Government on 28.12.2016.

[No. L-12012/140/2001-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH****Present:** Sri Kewal Krishan, Presiding Officer**Case No. 982/2005**

Registered on 16.09.2005

Smt. Parkash Devi, W/o Sh. Mahabir, Kachavas,
Kamalu Road, Bhatinda(Punjab)-151001

...Applicant

VersusState Bank of Patiala,
through its Asstt. General Manager I(B), Bhatinda

...Respondents

APPEARANCES :

For the workman - Sh. Madan Mohan, Adv.

For the management - Sh. N.K. Zakhmi, Adv.

AWARD

Passed on:-19.08.2016

Vide Order No.L-12012/140/2001-IR(B-I), dated 24.07.2001 the Central Government in exercise of the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of Industrial Disputes Act, 1947 (in short Act) has referred the following industrial dispute for adjudication to this Tribunal.

Whether the action of the management of State Bank of Patiala in terminating the services of Smt. Prakash Devi, W/o Sh. Mahabir is justified? If not, what relief the workman is entitled and from which date?"

In response to the notice, workman submitted statement of claim, to which written reply was filed.

The facts, emerging, are that the workman was engaged as a part time Sweeper by the management and his services were terminated vide order dated 18.11.1998. According to the workman, she did not do any act of misconduct and the enquiry officer wrongly held her guilty. That she did not commit any fault. That the termination order be set aside.

According to the management, the workman got credited Rs.18,000/-, Rs.30,000/- from saving bank account No.6585/32 of Sh. Lakhbir Singh on 03.10.1996 and 28.11.1996 respectively by forging his signatures. Thereafter, she made withdrawals of Rs.10,000/- on 5.10.96, Rs.5,000/- on 7.10.96, Rs.3,000/- on 28.10.96 and Rs.15,000/- 30.11.96 and thus, committed a fraud.

She was served with a charge sheet to which she filed reply and the disciplinary authority found the same as unsatisfactory. An enquiry officer was appointed to conduct the enquiry who conducted enquiry as per rules and did not find the workman guilty. That the disciplinary authority, after considering the enquiry proceedings, enquiry report and other relevant record, did not agree with the findings and imposed a penalty of terminating her services vide order dated 18.11.1998. It is further pleaded that the son of workman namely Sh. Devi Lal used to visit the branch for sweeping and knew every staff member. She committed a fraud and punishment has been rightly awarded.

Parties were given opportunity to lead their evidence.

I have heard Sh. Madan Mohan for the workman and Sh. N.K. Zakhmi for the management and perused the file carefully.

It was vehemently argued by Sh. Madan Mohan that the workman did not forge the signatures of Sh. Lakhvir Singh for withdrawing amount from his account No.6585/32 and the withdrawal forms dated 5.10.96, 7.10.96, 28.10.96 and 30.10.96 also do not bear her thumb impression, and in the circumstances, she was rightly exonerated by the enquiry officer and the punishing authority had no reason to take a contrary view for awarding the punishment and therefore, the punishment order dated 18.11.98 is liable to be set aside.

On the other hand, it was argued by Sh. Zakhmi that the disciplinary authority has the right to agree or disagree with the report of the enquiry officer and in the present case, the disciplinary authority rightly disagreed with the enquiry report by giving a detailed and valid reasons, and since the workman indulged in for committing a fraud with the bank, she has been rightly dismissed from service.

I have considered the respective contentions.

It may be added that a preliminary enquiry was conducted by Sh. Hardwari Lal, who after recording the evidence, concluded in the last para of his report which is on the file as follow:-

“To be precise, it has been found that Sh. Devi Lal got transferred Rs.18,000/- on 3.10.96 and Rs.30,000/- on 28.11.96 to the account of his mother Smt. Parkash Devi by forging the signatures of Sh.Lakhibir Singh. Sh. P.N. Bansal, SA, Sh. K.L. Jain, SA and Sh. Harmeet Singh were negligent in performing their duties.

A sum of Rs.33,000/- was withdrawn by smt. Parkash Devi against these forged credits. Sh. Devi Lal actively supported her mother in withdrawing the amount. The amount has since been recovered and kept in Sundry Deposit Account.”

Thereafter, the following charge sheet dated 1.10.1997 was served on the workman:-

On 03.10.1996 and 28.11.1996, you got the sums of Rs.18,000/- and Rs.30,000/- credited fraudulently to your Savings Bank Account by debiting the SB Account No.6585/32 of Sh. Lakhibir singh by forging signatures of the account holder in connivance with your son Devi La. Thereafter against these fictitious credits you made withdrawals dated 5th, 7th, 28th October and 30th November, 1996 for Rs.10,000/-, 5,000/-3,000/- and 15,000/- respectively and committed the fraud.”

She did not admit the allegations and an enquiry officer was appointed, who examined 6 witnesses on behalf of the bank. The workman examined Dr. Atul Singla, handwriting expert besides other witnesses. Dr. Atul Singla compared the thumb impression of the workman on the withdrawal forms dated 5.10.1996, 7.10.1996, 28.10.1996 and 30.10.1996, which were produced during the enquiry as Ex.P4, P5, P10 and P11 respectively with her specimen thump impression and specifically opined vide his report as Ex.D3 that the thump impression found on the withdrawal forms do not tally the specimen thump impression of the workman. After analyzing the entire evidence minutely, Enquiry Officer concluded in the last paragraph of his report as follow:-

“From the above it is revealed that EPA has neither effected credit to her SB account nor has withdrawn Rs.33,000/-. She never deposited any money in the Bank as stated by Bank’s witness nor colluded with her son to commit the fraud. It is revealed that the fraud was committed by Shri Devi Lal without the knowledge of EPA(the son of EPA)who has admitted the same in writing and has also deposited the amount of fraudulent withdrawals by borrowing the amount from one Shri Ram Sawrup and with contributions from Shri K.L. Jain. Had there been EPA’s involvement in the fraud she would certainly have withdrawn the remaining amount of Rs.15,000/- lying in her account. Evidently she was not knowing that Rs.15,000/- were lying in her account.”

But the disciplinary authority did not agree with the said enquiry report and issued a show cause notice which read as follow:-

“Shri K.K. Mittal, Enquiry Officer has submitted his enquiry report dated 27.7.1998 a copy of which is enclosed for your information. I have carefully gone through the charge sheet dated 1.10.1997, your replies dated 21.3.1997 and 18.10.1997, enquiry report, enquiry proceedings and all other relevant record. I do not agree with the enquiry officer and do not accept his findings who has held the charges as not proved. The enquiry officer has based his findings on the evidence of defence witness Sh. Atul Singla, who has opined that RTIs on withdrawal forms dated 05.10.1996, 07.10.1996, 28.10.1996 and 30.11.1996 are not yours, but has ignored the evidences of prosecuting witnesses Pw-1 to PW-6 and defence witness DW-3.

The Enquiry officer has not relied upon your statement given before the investigating officer but the reasons given by Enquiry Officer for this are not convincing. One reason is that the statement was obtained under pressure but reasons for putting pressure on you by Investigating Officer are not given. The reasons for not believing that the statement was written by your son has also not been given. Another reason that it was not witnessed does not make any valid reason. The reason that the person who wrote the statement was not produced as prosecuting witness does not hold good. The last reason for not believing your statement before Investigating Officer is that, your thumb impression has been affixed for below the last line is not true. In fact after the last line of the statement date has been put after some distance and after some distance from the date your thumb impression has been obtained. Moreover no other part of the investigating report has been questioned by Enquiry Officer. On the other hand he had relied upon it. So I hold that your statement was obtained by Inventing Officer without putting any pressure on you and you have denied the contents of your statement given before the Investigating Officer only to save yourself. Shri K.L. Jain, Special Asstt., Raman Branch PW-4 had stated that exhibits P-4 and P-5 were brought by you to him and he had passed these withdrawal forms. P-10 and P-11 were brought by you to him and he has passed these withdrawals. Shri Harmeet Singh, Cashier/Clerk DW-3 had stated that withdrawal of Rs.5,000/- dated 07.10.1996 was posted by him and it was filled in by him at your request. Shri H.R. Khanna, Head Cashier, Raman PW-5 had stated that the payment of Exhibit P-4, P-5, P-10, P-11 was made by him to you. As per Exhibit D-3, Exhibit P-4, P-5,

P-10 and P-11 do not bear your thumb impression. I do not doubt it but at the same time the statements PW-4, PW-5, PW-6 and DW-3 cannot be ignored. Actually you have exploited the negligence on the part of PW-4, PW-6 and received the payment of Exhibit P-4, P-5, P-10 and P-11. You have admitted your mistake before PW-2, PW-3, PW-5 and PW-6. You have also admitted before the investigating Officer in your statement dated 13.12.1996 that you have received the payment on different dates. Your son Shri Devi Lal had admitted before the Investigating Officer in his statement dated 13.12.1996 that a sum of Rs.18,000/- and Rs.30,000/- were got transferred to your account on 03.10.1996 and 28.11.1996 respectively. These credit entries also appear in your Saving Bank Pass book exhibit D-6 which shows that these amounts were transferred in your account with your connivance and were withdrawn by you later on.”

The learned counsel for the management submitted that the disciplinary authority considered all the aspects of this case while disagreeing with the report of the enquiry officer and the conclusions drawn by it are legal and valid.

The perusal of the order passed by the punishing authority, and as reproduce above, shows that he had given weightage to the statement made by the workman before the investigating officer which is on the file along with the report, and she stated therein that her son took the payment on 05.10.1996, 07.10.1996, 28.10.1996 and 30.11.1996 and handed over the money to her and she further deposed that she thumb impression the withdrawal forms. But her statement do not carry weight, in view of the report of Sh. Atul Singla, handwriting expert, who did not find her thumb impression on the withdrawal forms and this report is also not disputed by the punishing authority, as find mentioned in the order itself. Since the withdrawal forms do not bear the thumb impression of the workman, the enquiry officer was right for not relying on the statement made by her before the investigating officer.

Moreover, the investigating officer himself found that it was Sh. Devi Lal, who got transferred Rs.18,000/- on 03.10.1996 and Rs.30,000/- on 28.11.1996 to the account of his mother and thus, he found that it was Sh. Devi Lal, who is the son of the workman, who made the withdrawals from the other account. The investigating officer further observed, as stated above, that the amount was withdrawn by the workman, which is not supported by the documents and the withdrawal forms P-4, P-5, P-10 and P11, do not bear her thumb impression as opined by Sh. Atul Singla, handwriting expert.

Thus, the statement made by the workman before the investigating officer do not prove her guilt.

The punishing authority further relied on the statement of Sh. K.L Jain, Sh. Harmeet Singh, Sh. H.R. Khanna who dealt with the withdrawal forms and made payment thereof by stating that these withdrawal forms were given by the workman. But their statements cannot be believed in view of the specific report of Dr. Atul Singla, who did not find her thump impression on the withdrawal forms. When the punishing authority itself did not find any fault with the report of the finger and handwriting expert, he was not right in relying on the statements of Sh. Jain and others to come to the conclusion that it was the workman who withdrew the amount by filling the withdrawal forms.

Again there is nothing on the record that it was the workman who got transferred Rs.18,000/- on 03.10.1996 and Rs.30,000/- on 28.11.1996 to her account by forging the signature of Sh. Lakhbir Singh and rather the investigating officer found that it was her son who got transferred the said amount. If her son, who used to clean the bank premises in the absence of the workman, did some fraud, the workman cannot be punished for the same.

Thus, it is neither proved that it was the workman, who got transferred Rs.18,000/- on 03.10.1996 and Rs.30,000/- on 28.11.1996, nor it is proved that she withdrew amounts of Rs.10,000/- on 05.10.1996, Rs. 5,000/- on 07.10.1996, Rs.3,000/- on 28.10.1996 and Rs.15,000/- on 30.11.1996 and therefore, the disciplinary authority wrongly disagreed with the report of the enquiry officer who had given detailed report for exonerating the workman; and the order passed by the punishing authority for dismissing the workman from service is not sustainable in law.

In result, the reference is answered, holding that the action of the management of the respondent-bank in terminating the services of the workman is not justified and she is deemed to be in service on the terms and conditions on which she was working from the date of her dismissal i.e. 18.11.1998 and is entitled to all the wages. If she has attained the age of superannuation in the meantime, then only arrears of wages be paid to her. The respondent-bank shall pay the arrears of wages etc. within 3 months of the publication of the award failing which it shall pay interest @ 6 % per annum on the awarded amount to the workman.

KEWAL KRISHAN, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 37.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बीएसएनएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 05/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-41011/3/2004-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 37.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 05/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of BSNL and their workman, received by the Central Government on 28.12.2016.

[No. L-41011/3/2004-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 12th August, 2016

Reference: (CGITA) No. 05/2013

The General Manager,
BSNL, Surendranagar Telecom District,
Telephone Exchange, Surendranagar ...First Party

V/s

The President,
Saurashtra Employees Union,
Umesh Commercial Complex, 213 & 214,
2nd Floor, Near Chaudhar High School,
Rajkot – 360001

...Second Party

For the First Party : Shri H.R. Raval

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/3/2004-IR (B-I) dated 12.08.2004 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of BSNL, Surendranagar in terminating the services of Shri Brahmdev Tiwari w.e.f. 30.09.1997 and again from 21.01.2000 after redeploying him w.e.f. 04.09.1998 although he has worked for more than 240 days for many years is justified? If not, what relief the workman concerned is entitled to?”

1. The reference dates back to 12.08.2004. Shri Harish R. Raval submitted his vakalatpatra Ext. 4 on behalf of the first party on 03.11.2015. Notice was also issued by registered post Ext. 3 to the aforesaid second party, The President, Saurashtra Employees Union, but same was received back as unserved, not being available on the aforesaid address. It was received back on 20.05.2013. Since then the second party has not turned up. Thus it appears that the second party is not willing to prosecute the case.

2. Thus the reference is dismissed in non-prosecution of the case by the second party.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 38.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 104/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-41011/11/2007-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 38.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 104/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad now as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workman, received by the Central Government on 28.12.2016.

[No. L-41011/11/2007-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 12th August, 2016

Reference: (CGITA) No. 104/2007

1. The Chief Works Manager (EW),
Western Railway, Engg. Workshop
Sabarmati, Ahmedabad
2. The Chief Engineer (Workshop),
Western Railway,
Head Quarter Office, Churchgate,
Mumbai – 400020

...First Party

V/s

The General Secretary,
Paschim Railway Karmachari Parishad,
E/209, Sarvottam Nagar, Sabarmati,
Ahmedabad (Gujarat)

...Second Party

For the First Party : None

For the Second Party : Shri R.S. Sisodia

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/11/2007-IR (B-I) dated 12.10.2007 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the Paschim Railway Karmachari Parishad, Ahmedabad for promotion on roster point to Shri Dinesh Kuntal to the post of Sr. Sectional Engineer which has been filled up by the management of Engineering Workshop, Western Railway, Sabarmati by promoting Shri J.K. Parmar of General Category, is legal and justified? If so, what directions are necessary in the matter?”

1. The reference dates back to 12.10.2007. Shri H. B. Shah submitted the vakalatpatra Ext. 6 on behalf of the first party on 16.02.2008. Second party was served by registered post on 04.09.2008 but he did not turn up then fresh notice was issued to second party vide Ext. 7 to appear on 29.06.2011 but to no result. The second party representative Shri R.S. Sisodia, the Divisional Secretary, Paschim Railway Karmachari Parishad has not pressed the reference.

2. Therefore the reference is dismissed as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 39.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 820/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-41012/98/2003-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 39.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 820/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad now as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workman, received by the Central Government on 28.12.2016.

[No. L-41012/98/2003-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 12th August, 2016

Reference: (CGITA) No. 820/2004

1. The Assistant Electrical Engineer (Power)
Western Railway, Pratapnagar,
Baroda (Gujarat) – 390004
2. The Divisional Railway Manager,
Western Railway, Pratapnagar,
Baroda – 390004

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
Shastri Pole, Kothi,
Baroda (Gujarat) – 390001

...Second Party

For the First Party : Shri Rajesh Singh

For the Second Party : Shri R.S. Sisodia

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/98/2003-IR (B-I) dated 19.09.2003 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand raised by the Paschim Railway Karmachari Parishad for non-grant of promotional prospect benefit in favour of Jagdish D. Chauhan, Sr. Khalasi is legal, proper and justified? If so, what relief the concerned workman Shri Jagdish D. Chauhan is entitled to?”

1. The reference dates back to 19.09.2003. First party submitted the vakalatpatra Ext. 3 of his advocate on 06.02.2004 and Ext. 5 on 11.12.2015. The second party representative Shri R.S. Sisodia, the Divisional Secretary, Paschim Railway Karmachari Parishad has not pressed the reference.
2. Therefore the reference is dismissed as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 28 दिसम्बर, 2016

का.आ. 40.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जम्मू एण्ड कश्मीर बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 94/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.12.2016 को प्राप्त हुआ था।

[सं. एल-12012/204/97-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 28th December, 2016

S.O. 40.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 94/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad now as shown in the Annexure, in the industrial dispute between the management of Jammu & Kashmir Bank Ltd. and their workman, received by the Central Government on 28.12.2016.

[No. L-12012/204/97-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 11th August, 2016

Reference: (CGITA) No. 94/2004

The Manager,
Jammu & Kashmir Bank Ltd.,
Kadiya Kuyi, Relief Road,
Ahmedabad – 380001

...First Party

V/s

Shri Ghulam Ahmed Umermiya Malik,
Navapura, Ramol, Near Hussain Chawk,
Ahmedabad – 380001

...Second Party

For the First Party : None

For the Second Party : Shri H.Z. Saiyed

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/204/97-IR (B-I) dated 29.04.1998 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of Jammu & Kashmir Bank in terminating the services of Malik Gulam Ahmed Umermiya, Peon-cum-watchman vide order no. P&R/Estt./89-4544 dated 31.05.1989 is legal and justified? If not to what relief the concerned workman is entitled to?”

1. The reference dates back to 29.04.1998. The second party has filed his statement of claim vide Ext. 4 wherein he has stated that he had worked with the first party as a peon from 11.04.1988 to 3 years and his last monthly salary was Rs.1800/- per month. He has further stated that he discharged his duty faithfully and diligently. The second party further stated that he was made permanent with effect from 01.01.1989 and at that time also his monthly salary was Rs.1800/-. He was being paid Rs.1800/- per month till 14.06.1989. After illegal termination he was taken back on the job and paid Rs.450/- per month by this way he was being paid less Rs.1350/- per month. He has stated that first party has not extended the benefits of various labour laws. He was allowed to enjoy holiday of Bakrid. He was not paid bonus and not allowed to enjoy other leaves. He was terminated vide order dated 31st May 1982 stating that he was not possess educational qualifications and illegally terminated from the services. He was orally instructed to pass standard 8th. He has stated that after passing standard 8th, he approached first party on 01.06.1990. Accordingly he was allowed to join duties but he was paid Rs.450/- per month as a temporary. He has further stated that when he was permanent he was being paid Rs.1800/- per month and after that the first party has paid less Rs.1350/- per month, the second party has demanded the difference of salary. The officers of the first party by keeping victimization upon him terminated his services with effect from 01.05.1992 by oral order. He has further stated that at the time of termination, he was not served any notice nor he was paid notice pay or the retrenchment compensation. He has further stated that at the time of termination, no departmental enquiry was held. He further stated that the first party has also committed breach of section 25 F of the ID Act. Hence the action of the first party to terminate the services of second party is required to be quashed. He prayed for full back wages and reinstatement with continuity of services on his original post. The second party workman along with the statement of claim submitted 19 documents Ext. 54 to 67.

2. The first party in his written statement Ext. 5 denied all the averments made in the statement of claim Ext. 4 with some qualifications. In his additional statement, he has submitted that the second party was engaged temporarily as a peon-cum-watchman/waterman on 11.04.1988 on month to month basis for a consolidated salary of Rs.300/- per month. Every engagement order does not give rise any right to permanent employment in the bank. Every engagement order was to be read in total isolation with the appointment dated 10.01.1989 and is not related to the said appointment order in any manner whatsoever. Therefore, all these monthly engagement orders cannot be the subject matter of this reference. In fact all the monthly engagement orders were followed by immediate termination orders. It is further submitted that second party workman was appointed peon-cum-watchman vide order no. DGM/D/Per/89/202 dated 10.01.1989 subject to the condition that the second party workman would fulfil the required eligibility criteria prescribed under rules i.e. middle standard (eighth pass) within six months till then he shall be treated as appointed temporarily on probation but he failed to submit the certificate of passing eighth standard consequently the services were terminated vide bank order no. PER/EST/89-4544 dated 31.05.1989. Therefore the second party workman is not entitled and is the action taken, as referred in the schedule of the reference letter sent by the M/o Labour and Employment, Government of India is legal and justified.

3. On the basis of the pleadings, following issues are to be addressed by this tribunal:

- (i) Whether action of the management of Jammu & Kashmir Bank in terminating the services of Malik Gulam Ahmed Umermiya, Peon-cum-watchman vide order no. P&R/Estt./89-4544 dated 31.05.1989 is legal and justified?
- (ii) If not to what relief the concerned workman is entitled to?

FINDINGS

Issue No. 1: The burden to prove this issue was lying on second party workman in his statement of oath has reiterated the facts/averments made in the statement of claim Ext. 4 which the first party refuted. The perusal of the documents Ext. 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 & 45 which are also numbered as Ext. 53 to 64 make it clear that the second party workman Malik Gulam Ahmed Umermiya was temporarily appointed from 10.05.1988 to 29.10.1988 from month to month basis with a salary of Rs.300/- per month followed by termination at the end of each month. The documents Ext. 46 (65) makes it clear that the second party workman was appointed on 10.01.1989 as peon at the basis of Rs.430/- per month in the pay scale of 430/10/450/14/492/16/540/20/680/25/730/30/790 by the first party bank with a condition that he will submit the eligibility certificate of qualification of Eighth Standard pass within 6 months. The appointment letter is annexed with the application of the second party workman for the said post and termination order Ext. 67 dated 13.06.1989 on account of non-fulfilment of the eligibility qualification. The first party has also submitted the copies of the rules.

4. Both the parties submitted their arguments in the light of their pleadings.

5. This is a settled law that no appointment of any post shall be made against the service rules and every appointing authority/establishment has the right to frame rules with respect to the appointment on the various posts. In the present case the first party has framed rules prescribing the eligibility qualification for the post of peon and that is Eighth Standard pass. It is true that despite having no eligible qualification the second party workman was appointed on the post of peon but it was with a condition that he will submit the required qualification certificate within 6 months which he failed to submit. Therefore I do not find any force in the argument in the second party workman. Thus this issue is decided in negative and in favour of the first party.

Issue No. 2: As the issue no. 1 is decided against the second party workman, therefore he is not entitled for any relief.

6. Thus the award is decided accordingly and the action of the management of Jammu & Kashmir Bank in terminating the services of Malik Gulam Ahmed Umermiya, Peon-cum-watchman vide order no. P&R/Estt./89-4544 dated 31.05.1989 is legal and justified.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 30 दिसम्बर, 2016

का.आ. 41.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर (यू.पी.) के पंचाट (संदर्भ सं. 45/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30.12.2016 को प्राप्त हुआ था।

[सं. एल-12011/102/2011-आईआर (बी-II)]

रवि कुमार, डेस्क अधिकारी

New Delhi, the 30th December, 2016

S.O. 41.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 45/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur (U.P.) as shown in the Annexure, in the Industrial Dispute between the management of Union Bank of India and their workmen, received by the Central Government on 30.12.2016.

[No. L-12011/102/2011-IR (B-II)]

RAVI KUMAR, Desk Officer

ANNEXURE

BEFORE SRI SHUBHENDRA KUMAR, HJS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOR COURT, KANPUR.

Industrial Dispute No. 45 of 2012

Between :

The Secretary,
Union Bank of India Staff Association (UP),
C/o Union Bank of India, Main Branch,
24/53, Birhana Road Branch,
Kanpur (U.P.)

And

The Assistant General Manager,
Union Bank of India,
Regional Office,
117/H-1/240 Pandu Nagar,
Kanpur -208005.

AWARD

1. Central Government, Mol, New Delhi vide notification No. L- 12011/102/2011-IR(B-II) dated 23/05/2012, has referred the following dispute for adjudication to this tribunal.

2. Whether the demand of the regularization of services of Shri Ram Shanker Pal as sub-staff at Union Bank of India, Kaushalpuri Branch, Kanpur raised by the Secretary, Union Bank Staff Association (UP), Kanpur and further termination his services w.e.f. 31.7.2010 by the management of Union Bank of India on receipt of notice of Conciliation Officer, is just & legal? What relief the concerned workman is entitled to?
3. The case of applicant is that he was engaged as Sub-Staff as Cash Peon on the vacant post in the month of January, 1995 by the orders of management of Union Bank of India at Kaushalpuri Branch, Kanpur. It is state that the service conditions of the said workman are governed by the By-partite settlement.
4. That Sri Ram Shankar Pal has worked under the orders of the management of Union Bank of India from January 1995 to 31.07.2010 on the vacant post of sub-staff as cash peon till 9.p.m. Each day.
5. That the management in utter violation of the Bi-partite settlement has paid the workman on daily basis paid his wages in the name of fictitious persons through vouchers and the workman was made to sign those vouchers.
6. That Sri Ram Shanker Pal had continuously worked from January 1995 to 31.07.2010 as sub-staff in the bank hence he was entitled to get permanent in the job.
7. That as the Bank terminated the services of workman Sri Ram Shanker Pal making breach of section 25F of the I.D.Act, 1947 the workman is entitled to re-instatement with full back wages and other consequential benefits.
8. The bank filed its written statement in which It is stated that applicant did not work continuously 240 day as casual labor at Kaushalpuri Branch before 31.07.10 & his demand to pay benefits u/s 25 F of the Industrial Disputes Act, 1947 is not tenable & is liable to be rejected by the tribunal. The contents of Para 7 of the claim are bogus & not admitted by the management of bank. It is clearly stated here that Sri Ram Shanker Pal was never employed by the bank and there existed no relationship of employer-employee. He was free to work anywhere. Hence, provisions of Bi-partite settlement are not attracted in this case.
9. It is made clear that appointed person can also be terminated as per procedures of the Bank but Sri Ram Shanker Pal was never appointed by the bank.
10. It is stated that none of the parties have filed any documents and neither party adduce his evidence in support of the claim. Therefore it is the case of no evidence and therefore the tribunal is of the view that none of the parties have proved their case by adducing oral and documentary evidence. Therefore tribunal is having no option left but to decide the reference against the applicant for want of evidence and proof.
11. Accordingly reference answered against the applicant holding that the applicant is not entitled for any relief pursuant to the present reference order.
12. Reference is answered accordingly.

SHUBHENDRA KUMAR, Presiding Officer

नई दिल्ली, 30 दिसम्बर, 2016

का.आ. 42.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 15/11) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30.12.2016 को प्राप्त हुआ था।

[सं. एल-12011/65/2010-आईआर (बी-II)]

रवि कुमार, डेस्क अधिकारी

New Delhi, the 30th December, 2016

S.O. 42.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 15/11) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Bank of India and their workmen, received by the Central Government on 30.12.2016.

[No. L-12011/65/2010-IR (B-II)]

RAVI KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****NO. CGIT/LC/R/15/11**

General Secretary,
Dainik Vetan Bhogi Bank Karmchari Sangathan,
F-1, Tripti Vihar, Opp. Engineering College,
Ujjain (MP)

...Workman/Union

Versus

Managing Director,
Bank of India, Head Office, Star House,
Bandra Kurla(East),
Mumbai

...Management

AWARDPassed on this 11th day of November, 2016

1. As per letter dated 25-2-2011 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-12011/65/2010-IR(B-II). The dispute under reference relates to:

“Whether the action of the management of Bank of India in disengaging Shri Lal Chand Chouhan from the services of the Bank w.e.f. 12-7-08 is just, fair and legal? Whether the management has violated the Section 33(1) of ID Act, 1947? What relief Shri Lal Chand Chouhan is entitled to and from which date?”

2. After receiving reference, notices were issued to the parties. Ist party submitted statement of claim through General secretary, daily Wage Bank Union. Case of Ist party workman is that he was working as peon on daily wages in the Bank from 10-11-01. He was paid wages Rs.10 per day. Wages were increased to Rs.20,30,60 per day. He was working 6 days in a week. On 20-9-06, he was deputed to Chipya branch. He was terminated without notice on 12-7-08 in violation of section 33 of ID Act. During the period 20-9-06 to 12-7-08, he was working under different Branch Managers. He raised dispute before RLC bearing No. 20/08. After failure report, dispute has been referred by Government. Ist party workman further submits that he worked more than 240 days during each of the year. He is covered as employee under section 25 B of ID Act, he worked more than 7 years, his services are terminated in violation of section 25-F of ID Act. He was not served with notice, pay in lieu of notice was not given to him. Principles of last come first go was not followed. Termination of his service is in violation of Section 25 F,N of ID Act. On such ground, workman prays for his reinstatement with backwages.

3. 2nd party filed Written Statement opposing claim of workman. Preliminary objection is raised that Managing Director is not Appointing Authority. The reference against Managing Director is not tenable. That dispute is raised by Union. Union has no locus as it has no functioning in the Bank. The employees of the Bank are not members of the Union. Bank has rules and regulations for appointment of sub staff. Ist party workman was not appointed following rules and regulations. Workman is not entitled for regularization of his services in the Bank. 2nd party also contends there is no employer employee relationship between parties. The reference is mechanically made without considering the facts. That claimant has claimed re-employment in Bank. He is not workman under Section 2(s) of ID Act. Workman wasnot sponsored through Employment exchange. He was not selected following recruitment rules. Sastry Award, Desai Award, Bipartite settlements, circulars are applicable to the Bank.

4. Casual labours, badly labours engaged through local area as per availability for execution of casual nature of job. Such casual labours are paid as per local rates. 2nd party is also bound to follow reservation policy for SC ST OBC while appointing candidates followed by interview. The payment of wages to the casual employees is made by Branch Manager is reimbursed to him. That daily wagger has no right to hold any post. Ist party workman was not continuously working. He had not completed 240 days continuous working during any of the year. In R/43/10, workman has not pleaded he was engaged from 10-11-01 to 19-9-06 in Baroda Malwa branch. 2nd party denies that workman is terminated in violation of Section 33 of ID Act. Violation of Section 25-F,G,H,N is also denied. On such contentions, 2nd party prays for rejection of claim.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether the management has violated the Section 33(1) of ID Act, 1947?	In Negative
(ii) Whether the action of the management of Bank of India in disengaging Shri Lal Chand Chouhan from the services of the Bank w.e.f. 12-7-08 is just, fair and legal?	In Negative
(iii) If not, what relief the workman is entitled to?"	As per final order.

REASONS

6. Point No.1- the term of reference pertains to whether 2nd party has violated Section 33 of ID Act. Statement of claim submitted by workman is absolutely silent how management violated Section 33 of ID Act.

Section 33 provides- During the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before an arbitrator or a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall- (a) in regard to any matter connected with the dispute, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding.

In affidavit of his evidence, workman has not stated anything about pendency of any reference or conciliation proceeding was pending at the time of termination of his service before Conciliation Officer or before this Tribunal. Therefore I record my finding in Point No.1 in Negative.

7. Point No.2- Ist party workman filed affidavit of his evidence that during 10-11-01 to 9-9-06, he was working at Bolod Malwa branch during 20-9-06 to 12-7-08, he was working at Chipya branch. In his cross, Ist party workman says that he raised dispute before ALC, Bhopal on 5-7-08 for regularisation of his service and payment of wages. Shri Ram Nagwanshi was his representative. Personally he not participated in the conciliation proceeding. On 20-9-06, Shri S.N.Malhotra Branch Manager had directed him to join Chipya branch. In 2001, his name was not sponsored through Employment Exchange, post was not advertised. Earlier he was working in the Bank, Branch Manager Ajmera engaged him in 2001. Ist party in his further cross says increased the wages at Rs.20,30,50,60 were paid to him for working days. His signatures were not taken on payment voucher.

8. Management filed affidavit of witness Shri D.K.Poddar supporting contentions in Written Statement denying that workman was continuously working from 10-11-01 to 19-9-06. Management's witness in his cross says during 2001 to 2006, he was not working in Balod Malwa branch. He claims ignorance about the Branch Manager working in said branch during above said period. That he was working as Branch Manager in Chipya branch during 9-7-06 to Sept.07. That he visited Chipya branch to see the record. Any proceeding was not followed before engaging workman, permission of Controlling Authority was not taken for his engagement. Daily wage employees were paid wages by Branch Manager amount was reimbursement to him. Management's witness admitted documents Exhibit W-2/1 to 13. W-3 to 6 workman was not given termination notice, retrenchment compensation was not paid to workman.

9. Learned counsel for 2nd party Shri A.K.Shashi produced the certified copies of evidence of Ist party workman in R/75/12. In his cross, Ist party workman had deposed that he was engaged by Branch Manager Ajmera in Balod Malwa branch. He was engaged by Shri Poddar in Chipya branch, order in writing was not given to him, his name was not sponsored. Said reference was raised for bonus. Learned counsel for management further argued that Ist party workman appointed by different authority in Chipya branch cannot claim benefit of his working in Balod Malwa branch from 10-11-01 till 28-9-06.

10. Shri A.K.Shashi submits that burden of proof lies on workman to prove completion of 240 days continuous service. Shri Shashi relies on ratio held in case between

U.P.State Warehousing Corporation versus Presiding Officer and another reported in 2013-III-LLJ-213. His Lordship of Allahabad High Court dealing with burden of proof held person who files a claim is required to prove his case. Industrial Dispute raised by Union, burden of proof is upon Union and its workers to prove their claim before Labour Court. Union did not prove that they were appointed or engaged directly be petitioners workers not proved that they worked for more than 240 days in a calendar year.

Reliance is also placed in case between State of Rajasthan versus Sarjeet Singh and another reported in 2007-I-LLJ. Their Lordship dealing with Section 2(o)(bb) of ID Act held respondent was appointed as Driver by Gram Panchayat pursuant to a joint scheme with the State of Rajasthan for supply of water initially for a period of 6 months and extended till November 7,1997 when the scheme ended. He succeeded before the Labour and High Courts in getting orders for his reinstatement with benefits. Hence the Hon'ble Court also refers to that respondent was appointed for fixed period. It was case which attracted Section 2(o)(bb) of ID Act.

The facts of present case are not comparable. There is no scheme that scheme was considered by their Lordship. Ratio cannot be applied to case at hand.

11. The documents produced by workman Exhibit W-2/1 to 13 shows payment made as miscellaneous charges 1980, 2160, 1768, 2220, 2620, 2500, 2620, 2720, 2400, 2040, 2220, 2000, 1200 during the period 2-7-07 to 4-6-08. Even if the wages are calculated @ Rs.100 or 120 per day, working days of Ist party appears more than 240 days. The evidence of workman that he completed 240 days service preceding termination of his services from Chipya branch, he was not paid retrenchment compensation, notice of termination was not issued to him. Therefore termination is illegal for violation of Section 25-F. For above reasons, I record my finding in Point No.2 in Negative.

12. Point No.3- In view of my finding in Point No.2 termination of services of workman is illegal, question remains for consideration is whether workman is entitled for reinstatement with backwages. Shri A.K.Shashi for management relied on ratio held in

State of UP and another versus Hind Mazdoor Sabha reported in 2011-LAB.I.C.4322. Their Lordship dealing with reinstatement with backwages w.r.t. daily wager workman held recruitment of workman was not in accordance with procedure prescribed by law held granting relief of reinstatement with backwages not proper.

In present case, workman was engaged on daily wages. Employment in Balod Malwa branch cannot be considered. However Ist party workman worked more than 240 days at Chipya branch during 2006 to 2008, considering the period of his working, compensation Rs.50,000 would be appropriate. Accordingly I record my finding in Point No.2.

13. In the result, award is passed as under:-

- (1) The action of the management of Bank of India in disengaging Shri Lal Chand Chouhan from the services of the Bank w.e.f. 12-7-08 is not proper and legal.
- (2) 2nd party is directed to pay compensation Rs.50,000 to the workman.

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9 % interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 30 दिसम्बर, 2016

का.आ. 43.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 75/12) को प्रकाशित करती है जो केन्द्रीय सरकार को 30.12.2016 को प्राप्त हुआ था।

[सं. एल-12011/64/2011-आईआर (बी-II)]

रवि कुमार, डेस्क अधिकारी

New Delhi, the 30th December, 2016

S.O. 43.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 75/12) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Bank of India and their workmen, received by the Central Government on 30.12.2016.

[No. L-12011/64/2011-IR (B-II)]

RAVI KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/75/12

General Secretary,
Dainik Vetan Bhogi Bank Karmchari Sangathan,
F-1, Tripti Vihar, Opp. Engineering College,
Ujjain (MP)

...Workman/Union

Versus

Managing Director,
Bank of India, Head Office, Star House,
Bandra Kurla (East),
Mumbai

AWARD

Passed on this 11th day of November 2016

1. As per letter dated 21-6-12 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No. L-12011/64/2011-IR(B-II). The dispute under reference relates to:

“Whether Shri Lal Chand Chauhan is entitled for payment of bonus for the period from 20-9-06 to 12-7-08? If so, what relief he is entitled to?”

2. After receiving reference, notices were issued to the parties. Workman submitted statement of claim. The case of Ist party workman is that he was working with the 2nd party since 20-6-06 in chipya branch on wages Rs.40 per day. His services were orally terminated on 20-6-09. He was working as peon. Wages were increased to Rs.60,100 per day. He was terminated without notice, retrenchment compensation was not paid to him. Ist party workman claims bonus for the period 20-9-06 to 12-7-08.

3. 2nd party management filed written Statement opposing claim of workman. 2nd party submits that workman claims bonus for the period 20-9-06 to 12-7-08. Union has no locus as the claimant is not member of the Union. Employer employee relationship is denied. Therefore dispute is not tenable. 2nd party reiterates that claimant is not covered as workman under section 2(s) of ID Act. That workman was not appointed following selection process. Workman was not included in muster roll. In definition of workman Apprentice had been included with object that casual labours are not covered under section 2(s) of ID Act. That claimant was not employed in Bank on regular basis against sanctioned post. He is not entitled for bonus. It is reiterated that Branch Manager for ensuring smooth customer service is required to engage persons for casual nature of work. Regional Manager (Zonal Manager) is competent to appoint sub staff during leave vacancy. All adverse contentions are denied by management. It is also reiterated that services of casual labour starts with the day and ends on end of day. Payments to such casual labours given by Manager on reimbursement basis. Reference is not tenable. Claimant is not entitled to bonus.

4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether Shri Lal Chand Chauhan is entitled for payment of bonus for the period from 20-9-06 to 12-7-08?	In Affirmative
(ii) If not, what relief the workman is entitled to?”	As per final order.

REASONS

5. The term of reference pertains to claim for bonus of workman for the period 20-9-06 to 12-7-08. Documents produced by workman are admitted by management. Exhibit w-1 to 5 . workman filed affidavit of his evidence stating that he was working at Baroda Malwa branch from 19-11-01 to 19-9-06, from 20-9-06 to 12-7-08, he was working at chipya branch. In his cross examination, workman says Shri D.K.Ajmera engaged him at Balod branch, G.K.Poddar Branch Manager engaged him at Chipya branch. Order in writing was not given to him. His name was not sponsored through Employment Exchange, he was engaged on daily wages. Wages were paid in cash to him. Branch Manager was withdrawing the amount for payment of wages. The vouchers were signed by Branch Manager. He has not maintained record about his working days. The present reference pertains to claim for bonus. He denies that he is not eligible for payment of bonus.

6. Management’s witness Shri Dilip Poddar in his affidavit of evidence denies employer employee relationship. Claimant is not workman under Section 2(s) of ID Act. Bank is covered by statutory rules and regulations for appointments. Management has to engage daily wagers as per exigencies. Engagement of Ist party workman during the period 10-11-01 to 19-9-06, 20-9-06 to 12-7-08 has been denied. As claimant is not entitled for bonus, bonus was not paid to him. Documents Exhibit M-1 to M-1/6 are admitted from evidence of management’s witness. During cross examination, management’s witness admitted document Exhibit W-6 to 8, W-9/1 to 9/4. Document Exhibit W-1 is

extract of Section 8 of Payment of Bonus Act. Employee working for 30 days is eligible for payment of bonus. Exhibit W-6 is application submitted to Branch Manager requesting payment of bonus for badly sepoys. Exhibit W-7 is letter dated 15-9-10 by Sr. Manager (IR) for payment of bonus 8/33 % to employees working during August 05 to March 06, April 06 to March 07 and 20 % bonus for the period April 07 to October 07, November 07 to March 08. Exhibit w-2 is extract of Bank account. W-8 is letter dated 23-1-99 by chief Regional manager for payment of bonus to Prakash Goswami for the year 96-97, 97-98. Exhibit W-9(1) is letter issued by Branch Manager informing that services of Parmar were not required. Daily wage employees is engaged for cleaning work. Documents exhibit 9/2 shows payment of wages to daily waers at rs.12 per day. Exhibit W-9/3 is certificate regarding Harimohan Parmar working on deputation. Documents exhibit w-9/4 shows approval of payment of Rs.300 per month instead of Rs.120 for cleaning work. Exhibit w-3 shows payment of rs.300 on 11-7-08 for 25 days. W-4 shows approval of payment of bonus rs.3500 even if the wages paid were Rs.10,000. As per documents W-5/1 to 9, amount under Head Miscellaneous charges were paid Rs. 1900,1840, 1980, 2160, 2220, 2620, 2500, 2620, 2720, 2400, 2040, 2220, 2000 & 1200 from chipya branch. Those documents corroborates evidence of workman that he worked more than 30 days in the Chipya branch. In view of section 8 of Payment of Bonus Act, workman is entitled for payment of bonus. As per Exhibit w-7, workman is entitled to payment of bonus 20 % from April 07 till 12-7-08. For above reasons, I record my finding in Point No.1 in Affirmative.

7. In the result, award is passed as under:-

- (1) Workman Shri Lal Chand Chauhan is entitled for bonus 8 % from 20-9-06 till March 07 and 20 % from April 07 to 12-7-08.
- (2) 2nd party is directed to pay bonus as per above order to Ist party workman Shri Lal Chand Chauhan .

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9 % interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 30 दिसम्बर, 2016

का.आ. 44.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 101/12) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30.12.2016 को प्राप्त हुआ था।

[सं. एल-12011/77/2011-आईआर (बी-II)]

रवि कुमार, डेस्क अधिकारी

New Delhi, the 30th December, 2016

S.O. 44.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 101/12) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Bank of India and their workmen, received by the Central Government on 30.12.2016.

[No. L-12011/77/2011-IR (B-II)]

RAVI KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/101/12

General Secretary,
Dainik Vetan Bhogi Bank Karamchari Sangathan,
Central Office, F-1, Karambhoomi, Tripti Vihar,
Opp Engineering college,
Ujjain

Versus

...Workman/Union

Managing Director,
Bank of India, Head Office,
Star House, Bandra Kurla(E),
Mumbai

...Management

AWARD

Passed on this 10th day of November 2016

1. As per letter dated 18-9-12 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No. L-12011/77/2011-IR(B-II). The dispute under reference relates to:

“Whether the demand of the Union for payment of bonus for the period from 10-11-01 to 19-9-06 in respect of Shri Lalchand Chauhan, Badli Sepoy is just and proper? If yes, what relief the workman concerned is entitled to?”

2. After receiving reference, notices were issued to the parties. Ist party workman submitted statement of claim through General Secretary, Daily Wage Bank Employees Union. Case of workman is that he was engaged on daily wages in Baroda Malwa branch of the 2nd party Bank on wages Rs.10 per day. He was working in the branch as peon for holding as per oral instructions. His wages were increased to Rs.20,30,60 per day. The wages were paid on the basis of reimbursement to the Branch Manager. That since 10-11-01, he worked more than 240 days during each of the year. He was also required to perform the duty of clerk. From 20-9-06, his services were transferred to Chipya branch. He worked under Branch Manager D.K.Ajmeria, Jain, Dhyan Singh, Malhotra. His services were illegally terminated, bonus was not paid to him. After he raised dispute before ALC, failure report was submitted and dispute has been referred. Workman claims bonus under Section 8 of Payment of Bonus Act 1965 for the period 10-11-01 to 9-6-06.

3. 2nd party filed Written Statement on 10-9-13 opposing claim of workman. 2nd party submits that workman is not member of the Union. Union has no locus. 2nd party denied employer employee relationship. That Ist party is not covered as workman under Section 2(s) of ID Act as he was not appointed following selection process. It is reiterated that the definition of workman includes only persons who are taken on employment. Casual labours are not covered as workman. That claimant has not disclosed anything with regard to his employment with management which is primary requirement for rising the dispute. Claimant was not appointed against permanent sanctioned post therefore he cannot claim bonus. That the appointment in Bank are covered by statutory rules, regulations. Persons seeking employment in Bank has to go through the procedure prescribed for appointment. Only such employees are entitled for regular employment. That Branch Manager in order to ensure smooth customer service are required to engage persons when there is temporary increase in work. Branch Manager is not appointing authority of any staff. Regional Manager with prior approval of Ministry of defence is competent to appoint sub staff. It is reiterated that Branch Manager engaged casual labours when there is increase of work. No record of casual labours engaged by Branch Manager is maintained. Payment to such casual labours are given by Branch Manager and they are reimbursed by the Bank. Claimant is not covered under Section 25 B of ID Act, he is not covered as workman under retrenchment without notice or payment of retrenchment compensation violating Section 25-F is denied. The dismissed employee of the Bank is not entitled to represent the workman. Management of 2nd party prays that claimant is not entitled to bonus.

4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether the demand of the Union for payment of bonus for the period from 10-11-01 to 19-9-06 in respect of Shri Lalchand Chauhan, Badli Sepoy is just and proper?	In Negative
(ii) If not, what relief the workman is entitled to?”	Workman is not entitled to any relief.

REASONS

5. The term of reference pertains to demand of the Union for bonus w.r.t. Lalchand Chouhan. Statement of claim is filed. Ist party has produced zerox copies of several documents. However workman has not examined himself in the case. Representative of Ist party given in writing not to give oral evidence by Ist party. Zerox copies of documents produced by Ist party are not proved by any kind of evidence. As argued by learned counsel for management, Shri A.K.Shashi this is case of no evidence, management has also not adduced any evidence. For absence of evidence of Ist party, I record my finding in Point No.1 in Negative.

6. In the result, award is passed as under:-

- (1) The demand of the Union for payment of bonus for the period from 10-11-01 to 19-9-06 in respect of Shri Lalchand Chauhan, Badli Sepoy is not legal and proper.
- (2) Workman is not entitled to any relief.

R. B. PATLE, Presiding Officer

नई दिल्ली, 30 दिसम्बर, 2016

का.आ. 45.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार देना बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 76/05) को प्रकाशित करती है जो केन्द्रीय सरकार को 30.12.2016 को प्राप्त हुआ था।

[सं. एल-12012/55/2005-आईआर (बी-II)]

रवि कुमार, डेस्क अधिकारी

New Delhi, the 30th December, 2016

S.O. 45.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 76/05) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Dena Bank and their workmen, received by the Central Government on 30.12.2016.

[No. L-12012/55/2005-IR (B-II)]

RAVI KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/76/05

Shri Madan Mohan Dwivedi,
R/o Om Shivshakti STD, Azad Chowk,
Kasaridih, Durg (CG)

...Workman

Versus

Asstt. General Manager,
Dena Bank, Regional Office,
Rukmini Bhawan,
Near Jairam complex,
Raipur

...Management

AWARD

Passed on this 10th day of November 2016

1. As per letter dated 25-7-05 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No. L-12012/55/2005-IR(B-II). The dispute under reference relates to:

“Whether the action of the management in relation of Dena Bank in dismissing Shri Madan Mohan Dwivedi, Clerk, Ambagarh Chowki branch vide order No. DB/ROI/PER/1928/2001 dated 29-10-01 is legal and justified? If not, to what relief is the concerned workman entitled?”

2. After receiving reference, notices were issued to the parties. Workman submitted statement of claim at Page 3/1 to 3/5. Case of ist party workman is that he was appointed as clerk in Dena Bank Raipur. He was posted at Ambagarh Chowki branch District Rajnandgaon from 1-8-77 to 5-4-00. He was discharging his duties sincerely to the best of his ability. Vide order dated 25-3-00, he was suspended alleging fraud and irregularities committed by him. Bank referred matter to CBI for investigation. FIR was registered by CBI against him and 3 others. CBI after completion of investigation submitted challan before special SBI Court, Raipur. The case is pending. Chargesheet was issued to him

on 29-7-00. Copy of chargesheet was received by him on 30-11-00. He submitted application requesting documents but he was not provided documents by the management. Ist party workman reiterates that despite of his repeated request, the documents were not supplied to him. He was directed to appear in Enquiry Proceeding on 6-12-2000. Prior to his appearance in Enquiry Proceedings on 6-12-2000, enquiry was conducted on various dates from 16-9-00 till 20-11-08 details given in Para-7. Workman reiterates that the documents requested by him were not supplied, his request to stay Enquiry Proceedings during pending of criminal case was not rejected. He was directed to cross examine witnesses of management without supplying documents. Enquiry Officer Shri M.D.Shadangi acted malafidely not allowing him proper opportunity for his defence. Enquiry Officer with malafide motive rejected his all the request to adjourn the enquiry. Enquiry was conducted exparte. He was not given proper opportunity for defence. Enquiry Officer violated principles of natural justice. Order of dismissal against him is illegal. Appeal preferred by workman challenging order of his dismissal, appeal was not decided within two months as per bipartite settlements. Appeal was rather decided after 3 years. Ist party workman allegedly discrimination. He was not given proper opportunity for his defence. On such ground, workman prays to set aside order of his dismissal dated 29-10-01 and consequential benefits.

3. 2nd party filed Written Statement at Page 14/1 to 14/5 opposing claim of workman. 2nd party reiterates that workman was provided document during Enquiry Proceedings. Workman was provided opportunity for his defence. Documents requested by him were supplied to workman. Ist party workman was given intimation of enquiry conducted against him. Intentionally he avoided to participate in Enquiry Proceedings. Notices sent to him were received undelivered from postal department. On 16-12-00, workman appeared before Enquiry Officer. Enquiry Officer was always open for demanding relevant documents for defence by workman. Workman was provided documents giving opportunity for his defence. Workman was not cooperating with Enquiry Officer. He was remaining absent for one or other pretext. Violation of principles of natural justice had been denied. That punishment of dismissal was imposed on the basis of conclusion and findings in Enquiry Proceedings. 2nd party reiterates that punishment of dismissal imposed against workman is legal. 2nd party further submits if enquiry is found illegal, management be permitted to prove misconduct. On such contentions, 2nd party prays claim of Ist party workman deserves to be dismissed.

4. Ist party submitted rejoinder on 22-11-07 reiterating his contentions in statement of claim.

5. Management of 2nd party also submitted rejoinder reiterating contentions in Written Statement.

6. As per order dated 17-12-15, enquiry conducted against workman is found legal and proper.

7. Considering pleadings on record and order on enquiry, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether the misconduct alleged against workman is proved from evidence in Enquiry proceedings?	In Affirmative
(ii) Whether the punishment of dismissal imposed against workman is proper and legal?	In Affirmative
(ii) If not, what relief the workman is entitled to?"	Workman is not entitled to any relief.

REASONS

8. Point No.1- As per order dated 17-12-15, enquiry conducted against workman is found legal. Management has produced documents of enquiry proceedings at Exhibit M-1. The chargesheet dated 29-7-00 issued to workman pertains to workman was involved in day to day cash transaction in the branch with motive to pocket and misappropriate the money received from various customers by way of non entry of the name to the credit of their respective accounts, indulged in fraudulent activities by way of entering various transactions in the customers pass books without appropriating the money received against their accounts with the Bank. That after issuing tokens, he was supposed to debit instruments to their respective accounts in the ledger after ensuring availability of adequate funds. Workman with fraudulent motive debited numerous documents in corresponding ledger. Accounts did not contain adequate balance, the details of Saving Bank Accounts and dates of deposits, amounts are given in the chargesheet. Workman was alleged to have committed various fraudulent acts. In Enquiry Proceedings, evidence of MW-1 B.K.Prabhakar and MW-2 M.K.Jha is recorded exhaustively running into several pages and large number of documents ME-1 to ME-226 onwards were produced in the Enquiry Proceedings. The scope of judicial review is limited. The evidence in Enquiry Proceedings cannot be re-appreciated. However I may refer to certain evidence pertaining to the transactions and activities carried by workman indicating involvement of workman in the fraudulent and irregular activities. MW-2 M.K.Jha in his evidence says that documents Exhibit 224 to 226 bears signature of Shri B.L.Maheshwari and initials of

CSE. Signatures on Exhibit 224 and 226 was not matching with signature of Shri B.L.Maheshwari. signature of Shri Maheshwari was copied. Shri M.K.Jha in his further evidence says that he had found misappropriation of Rs. 3 Crore 7 lakhs in the Bank. At page 2 of his statement, there is reference that workman was supplied zerox copies of the documents in 3 sets. MW-2 in his further evidence says he was working as Probationary Officer during 1994 to 1995 and again Dec-99 to Dec 2000 in the branch. His further evidence shows that payment under document Exhibit 213 was received by CSE. Payment under Exhibit 214, 215 was received by Account holders. Exhibit 216 was passed by Shri Babulal Maheshwari. That Exhibit 59 was scroll was written by Babulal, entries in Exhibit 60 was written by different officials. In document ME-3 amount of Rs.232 and 2000 dated 25-3-96 – Rs. 25000 and 10,000 dated 20-1-97 were written by CSE., MW-2 Jha has reiterated in his further evidence that entries in ME-3 are in handwriting of CSE. Shri M.K.Jha in his further evidence has stated that he had gone through the records of branch for the period 1-9-96 till date. 24 documents were produced containing Sl.No. 198 to 221 were admitted in evidence at Exhibit ME-198 to 221. The cash scrolls of various dates, the witnesses has replied that in Exhibit ME-5,6 there was no credit of Rs.20000. ME-201 to 202 there was no credit of Rs.25000, 10,000. Witness has given reply w.r.t. entries in documents Exhibit ME-3,4,15,16,18,20,21 to 24, ME-24,25,26 to 28. MW-1 has also given reply w.r.t. various documents ME-28,29,30,31,32 to 36. Enquiry Officer has considered the evidence while recording his findings. I have carefully gone through the evidence in Enquiry Proceedings. The findings of Enquiry Officer cannot be said without evidence. The findings of Enquiry Officer are not perverse. There is sufficient evidence to prove misconduct alleged against workman pertaining to irregularities and fraudulent transactions. For above reasons, I record my finding in Point No.1 in Affirmative.

9. Point No.2- In view of my finding in Point No.1 charges of misconduct alleged against workman are proved from evidence in Enquiry Proceedings, question remains for decision whether punishment of dismissal imposed against workman is legal and proper. The evidence of management's witness Shri M.K.Jha is clear that he found misappropriation of Rs. 3 Crore 17 Lakhs in the Bank. During Enquiry Proceedings, statements of witnesses of management were recorded w.r.t. entries in various documents and availability of funds. The proved misconduct alleged against workman is of serious nature.

10. Shri A.K.Shashi relies on ratio held in case between

West Bokaro Colliery versus Ram Pravesh Singh reported in 2009-I-LLJ-220 SC. Their Lordship held that the Industrial Tribunal setting aside dismissal of workman. Interference by Tribunal with findings in domestic enquiry not warranted. Standard of proof in departmental proceedings is different from that in a criminal case.

Considering my finding on Point No.1 that charges/ misconduct alleged against workman and looking to the gravity of misconduct proved, punishment of dismissal imposed against workman cannot be said disproportionate, no interference is justified.

Shri A.K.Shashi also relied on ratio held in case between Regional Manager, UPSRTC Etawah and others versus Hotilal and another reported in 2003(3)SCC-605. Their Lordship dealing with misconduct and penalty held scope of judicial review is very limited and restricted to exceptional cases. The Court must give reasons for holding the punishment to be not commensurate with the charges. A mere statement that the punishment was disproportionate would not suffice not only the amount involved but the mental set up, the type of duty and similar relevant circumstances have to be taken into consideration to decide the proportionality of the punishment. If the charged employee holds a position of trust where honesty and integrity are inbuilt requirements of functioning held the matter should be dealt with iron hands and not leniently. Hence the termination of the services of a bus conductor for carrying ticketless passengers in the SRTC bus upheld that such misconduct had caused to the state only a loss of Rs.16/-.

In present case, amount involved in the fraud is 3 crore 17 lakhs as per evidence of MW-2 M.K.Jha. No interference is justified in the punishment of dismissal imposed against workman.

11. Shri A.K.Shashi also relies on ratio held in case between Janatha Bazar versus Secretary, Sahakari reported in AIR 2000-SC-3129. The detailed discussion of the ratio held in the case is not necessary in view of amount involved in fraud in present case was Rs. 3 Crore 17 Lakhs. For the same reasons, I am not inclined to give detailed narration of ratio held in case between P.Balan Nair versus Superintendent of post Officers, Thalassery reported in 2001 LAB.I.C.3201. I conclude that considering the large amount involved in the fraudulent act, misconduct proved against workman punishment of dismissal against workman is proper and legal. For above reasons, I record my finding in Point No.2 in Affirmative.

12. In the result, award is passed as under:-

- (1) The action of the management in relation of Dena Bank in dismissing Shri Madan Mohan Dwivedi, Clerk, Ambagarh Chowki branch vide order No. DB/ROI/PER/1928/2001 dated 29-10-01 is legal and proper.
- (2) Workman is not entitled to any relief.

R. B. PATLE, Presiding Officer

नई दिल्ली, 2 जनवरी, 2017

का.आ. 46.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार आईएल एयरपोर्ट सर्विस लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, दिल्ली के पंचाट (संदर्भ संख्या 34/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.01.2017 को प्राप्त हुआ था।

[सं. एल-20013/2/2017-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 2nd January, 2017

S.O. 46.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Delhi (filed under Section 2-A in the matter of (I.D. No. 34 of 2012) as shown in Annexure, in the industrial dispute between the employers in relation to the management of M/s. IAL Airport Services Limited and their workmen, which was received by the Central Government on 02.01.2017.

[No. L-20013/2/2017-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

IN THE COURT OF SHRI AVTAR CHAND DOGRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO.1, KARKARDOOMA COURT COMPLEX, DELHI

ID No. 34/2012

Shri Anil Kumar Rathore & Others,
S/o Shri Ishwar Singh & Others
R/o House No.2, Type 3,
Delhi Police Colony,
Sector 19A, Dwarka,
New Delhi

...Applicants

Versus

The Chief Operating Officer,
IAL Airport Services Limited,
Safdarjung Airport,
New Delhi

...Management

AWARD

Brief facts giving rise to the present claim are that the claimants herein directly filed a petition under Section 2A of the Industrial Disputes Act, 1947 (in short the Act) with the averments that the claimants were working with the management from 24.05.2004 as Security Sub-Assistant and they were initially appointed for a period of 2 years with fixed remuneration of Rs.5500.00 per month and after successful training their salary was Rs.6500.00 per month. Copy of letters of appointment is Annexure P1 and particulars of the workmen are given in Annexure P2.

2. It is the case of the workmen that on 25.10.2008, union of the claimants represented to the President of India as well as Prime Minister to look into their grievances regarding non-grant of medical facilities by the management, including ESI etc. They were also not being given benefits of EPF though number of workmen deployed by the management was more than 20. Thereafter, on 29.01.2009, management held a meeting with the union of workmen as is clear from the minutes dated 29.01.2009 of the union. However, nothing was done by the management. Thereafter, workmen wrote to the management regarding silent march from 01.06.2009 as a mark of peaceful protest. Workmen also wrote to the Central Provident Fund Commissioner regarding their working conditions vide letter dated 19.05.2009. later on, vide letter dated 21.05.2009, management intimated the union of the workmen that decision on the demands of the work is being taken and the workmen were warned not to wear black ribbon as it was tarnishing the image of the management. Thereafter, on 24.05.2009, reminder was sent by the union to the management. Workmen were never absent from duties even for one day and they were only wearing black badges during working hours as a mark of peaceful protest. Management started issuing warnings to the various workmen as is clear from letters dated 29.05.2009. Finally, on 31.05.2009, 01.06.2009 and 05.06.2009 as a retaliatory measure, management services of the workmen without notice in violation of the provisions of the Act. Order of termination is totally illegal and void. On

02.09.199, workmen were told not to report for duties as their services stood terminated. Workmen took up the matter with the ALC, who issued letter for amicable settlement of the dispute. Conciliation proceedings failed as is clear from Annexure P4. Since no decision was taken by the ALC within a period of statutory period of 45 days, as such, claimants filed a direct claim with this Tribunal under sub-section 2 of Section 2A of the Act. Claimants challenged the impugned orders of termination before the Hon'ble High Court of Delhi and High Court vide order dated 12.12.2011, held as under:

'Counsel appearing on behalf of the petitioner seeks leave to withdraw this petition with liberty to approach the concerned Tribunal under the Industrial Disputes Act.

Leave and liberty granted. In view of the pendency of this petition since 2009 it is expected that the Industrial Adjudicator shall dispose of the proceeding to be filed before it, if any, as expeditiously as possible.

The writ petition is dismissed as withdrawn.'

3. It was against this background that workmen directly approached this Tribunal under provisions of sub-section 2 of Section 2A of the Act and filed the present claim.

4. Management demurred the case of the claimant by taking various preliminary objections, inter alia of maintainability etc. There is reference to the proceedings before the Regional Labour Commissioner on 15.05.2009 regarding payment of additional benefits and remuneration, which were not being given to the workmen. It was during currency of the said proceedings, employees stated that their services were terminated and the said conciliation also failed, as is clear from failure report dated 19.10.2009. It is also alleged that the claim is not maintainable against the management as it has closed its operations and activities with effect from 30.09.2010 by following due process of law. Winding up process was completed on 25.03.2011. However, it is admitted that recruitment of the workman was done on fixed term contract in the category of sub Assistants by IAL ASI. Since IAL ASI had not commenced operation, persons so engaged on fixed term contract were deputed to Airline Allied Services, an allied company of Indian Airlines Ltd. Payment of consolidated monthly remuneration of the Sub Assistants were made by the Airlines Allied Services Ltd. Sub Assistants, workmen herein, were mainly deployed to carry out airport handling and security activities for flights. Terms and conditions of services are fully mentioned in the letter of contract issued to each workman. Remuneration and benefits were given to the claimants as per letter of contract. There is also reference to threats given by the workman and issuance of office order dated 21.05.2009. Finally, vide letter dated 05.06.2009, it is clear that workmen had voluntarily abandoned their respective duties. As such workmen were asked to surrender their PIC and other properties to the management. Management has denied material averments contained in the statement of claim. It is also denied that the workmen were receiving Rs.6500.00 per month as salary. There were employed on fixed term of appointment for a period of 2 years on consolidated remuneration. Management had tried its level best to redress the general grievances of the workmen. However, the workmen resorted to illegal strikes. It is specifically denied that on 31.05.2009, 01.06.2009 and 05.06.2009, management terminated services of the workmen herein.

5. Against this factual background, this Tribunal, on the basis of pleadings of the parties framed the following issues:

- (i) Whether the claimants were engaged as Sub-Assistants by the management?
- (ii) Whether the claimants rendered continuous service for more than 240 days in preceding 12 months of the date when their services were terminated?
- (iii) Whether termination of the services of the claimants amounts to retrenchment?
- (iv) Whether the management failed to comply with provisions of Section 25(F), 25(G) and 25(H) of the Industrial Disputes Act, 1947?
- (v) Whether the activities of the management have been closed since 30.09.2010? If yes, its effects.
- (vi) To what relief the claimants are entitled?

6. Claimants, in order to prove their case against the management examined Shri Sanjeev Kalkal as WW1, who tendered in evidence his affidavit, Ex.WW1/A and documents Ex.WW1/1 to Ex.WW1/5. Management, in order to rebut the case of the workmen, examined Shri Dharam Dass as MW1, whose affidavit is Ex.MW1/A and documents Ex.MW1/1 to Ex.MW1/72 were also tendered in evidence.

7. Arguments were heard at the bar. Shri Rakesh Mudgal, authorized representative, advanced arguments on behalf of the claimant. Shri Ranjan Jha, authorized representative, raised submissions on behalf of the management.

8. Before I proceed to consider the comparative merits of the claim raised in the petition, it is pertinent to mention that the learned A/R for the management has raised a legal question regarding maintainability of this petition before this Tribunal. Both the authorized representatives of the respective parties agreed that the question of maintainability

of the petition is purely legal in nature and the same can firstly be decided by this Tribunal and in case this Tribunal holds that the petition is legally maintainable under Section 2A of the Act, only then there is need to give findings on the issues on merits.

9. Shri Ranjan Jha, authorized representative appearing on behalf of the management, strongly urged that the petition filed under Section 2A of the Act is not legally maintainable inasmuch as the same has been filed collectively by the workmen and it is not by the union of the workmen herein who has approached this Tribunal for adjudication of the claim of the workmen. In this regard, learned A/R for the claimant referred to the provisions of Section 2A of the Act as well as other provisions of the Act so as to urge that only individual workman can file direct claim before an Industrial Tribunal and in case there are other workmen, the industrial dispute can be adjudicated by the Industrial Tribunal only when there is reference to such Tribunal either under Section 10 of the Act or when the case of such individual workmen is covered by Section 2A of the Act. Since in the present case, in the contention of the learned A/R for the management, neither there is reference under Section 10 of the Act nor individual workman has filed this petition in terms of the provisions of Section 2A of the ID Act, As such, claim filed collectively by the workmen is not legally maintainable. Learned A/R for the management also put strong reliance upon the following cases, as well as certain other authorities, to which I would be referring in the subsequent paras, while drawing my conclusion:

1. Punjab Dairy Development Corporation Vs Presiding Officer, Industrial Tribunal (2016 Lab.IC 2716),
2. Lord Krishna Textile Mills/National Textile Corporation Ltd. vs. Ram Pal Singh (2015) LLR 77)
3. Rajendra Singh Vs. State Bank of India (2015) LLJ 630
4. P. Virudachalam & Ors vs The Management Of Lotus Mills & Anr (1998 (1) SCC 650).
5. Bharat Heavy Electricals Ltd. Vs. Anil (2007) SCC 610

10. Per contra, Shri Rakesh Mudgal, authorized representative appearing on behalf of the workmen, urged that when evidence has been adduced by the parties on merits, it is not proper at this belated stage to entertain objection of maintainability of the claim petition by the management. In this regard, reliance was placed upon the case of Maharashtra General Kamgar Union Vs. --- Haldyn Glass Works (220 (2) LLJ 273). It was urged that legal technicalities or procedural formalities should not stand in the way of the poor workmen who has approached this court on the direction of the Hon'ble High Court for redressal of their grievance.

11. At this Juncture, it is appropriate to refer to the provisions of Section 2A of the Act, since it is relevant in the context of the controversy involved in the present case and the same is as under:

“Section 2A : Dismissal, etc., of an individual workman to be deemed to be an industrial dispute.- Where any employer discharges, dismisses, retrenches, or otherwise terminates the services of an individual workman, any dispute or difference between that workman and his employer connected with, or arising out of, such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute notwithstanding that no other workman nor any union of workmen is a party to the dispute.

2. Notwithstanding anything contained in section 10, any such workman as is specified in sub section (1) may make an application direct to the Labour Court or Tribunal for adjudication of the dispute referred to therein after the expiry of forty five days from the date he has made the application to the Conciliation Officer of the appropriate Government for conciliation of the dispute, and in receipt of such application the Labour Court or Tribunal shall have powers and jurisdiction to adjudicate upon the dispute, as it if were a dispute referred to it by the appropriate Government in accordance with the provisions of this Act and all the provisions of this Act shall apply in relation to such jurisdiction as they apply in relation to an industrial dispute referred to it by the appropriate Government.

3. The application referred to in sub-section (2) shall be made to the Labour Court or Tribunal before the expiry of three years from the date of discharge, dismissal, retrenchment or otherwise termination of service as specified in sub- section (1).”

12. It is clear from perusal of provisions of the above section that Parliament, in its wisdom, inserted this provision to help individual workman to approach the Tribunal in case of an industrial dispute concerning discharge, dismissal, retrenchment or termination of such individual workman and this provision was inserted in the Act as it was noticed that in some of the cases Trade Unions were not ventilating grievances of individual workman before appropriate forums, i.e. Conciliation Officer etc. nor they were filing cases before the Industrial Tribunals on account of ulterior consideration of being under the pressure of the management. This is really a salutary provision in as much as protection has been given to individual workman to directly approach the Tribunal in case grievance of the workman arises from discharge, dismissal, retrenchment or termination of such workman by the management.

13. Admittedly, in the present case, all the workmen have directly filed claim under Section 2A of the Act, not through their union. Though it is an industrial dispute, but the larger question before this Tribunal is whether the workmen herein could have collectively filed the claim under Section 2A of the Act when they have not approached their union regarding their wrongful dismissal or termination. Their case is not apparently covered by Section 2 A (2) of the Act.

14. It has been held in the case of Punjab Dairy Development Corporation (supra) by the High Court of Punjab and Haryana that provisions of Section 2A of the Act is attracted only in case where individual workman has approached the Tribunal when order of discharge, dismissal, retrenchment or termination etc. has been passed by the management. Provisions of Section 2(A) would not be applicable when collective dispute affecting large body of workmen, is being filed directly by such workmen without the help of their respective union. In fact, such dispute is to be addressed collectively by the use of machinery provided under the Act. Though in the present case matter was taken through the union before the ALC regarding payment of wages, payment of medical benefits, ESI, PF etc. as is clear from the record, i.e. minutes of conciliation dated 10.06.2009. However, in the said proceedings, there was reference to the termination of services of 21 workmen who were forced to stop work by the management. Thus contention of the management that there was no proper espousal as well as conciliation proceedings with respect to termination of the workman herein is without any merit. Tribunal cannot adopt a pedantic approach so far as conciliation proceedings before the ALC is concerned.

15. As discussed above, though the workmen took the matter regarding non- payment of medical facilities and other service conditions regarding payment of ESI, PF etc. by the management, however, during conduct of such proceedings services of the workmen appear to have been done away with and it is on account of this reason there is reference to termination of services of the workmen in the proceedings dated 10.06.2009 of the ALC.

16. Having said so, the residual question finally is whether the petition filed collectively and directly under section 2(A) of the Act by the claimants herein, not through their union is legally maintainable. While discussing provisions of Section 2(A), it has been held, as is clear from the above judgments, that only case of individual workman is covered by the said sub section.

17. In the Punjab Dairy Development Corporation and ors. case (Supra) a similar contentions was raised on behalf of the workman that though under section 2 (A) only the claim of individual workman can be agitated before the tribunal, however, there is no embargo in the statute for the workman not to file joint petition or collective petition on behalf of more than one workman. This contention was rejected out-rightly by the High Court in the following words :-

“9. I have heard learned counsel for the parties and appraised the paper book and as well as case law cited by the learned counsel for the petitioner-Management at bar and am of the view that the plea taken by the management has substance, much less, force and is duly supported by a ratio decided called out by Andhra Pradesh High Court in Bayer Bio Science Pvt. Ltd.’s case (Supra). The reading of Section 2(A) of the Act is clear and unambiguous. There is no doubt that parliament in its wisdom while incorporating the provisions meant with claim of individual workman by using expression ‘individual workman’ in Section 2-A of the Act and also by adding non obstante clause in sub-section 2 of the Act with preface of ‘such workman’ as specified above.

(ii) Keeping in view the aforementioned legal position of law, this Court is of the view that collective claim petition filed directly by the workmen before the Labour Court is not maintainable. The workman would be within their rights to claim lodge/file in their individual capacity, if any cause of the action survives.”

18. There is another judgments of Hon’ble High Court of Delhi in the case of Lord Krishna Textile Mills/National Textile Corporation Ltd. Vs Rampal Singh and Ors. 2015 LLR747. Wherein, almost under the similar circumstances the High Court dealt with the questions of the termination of service of several workmen by the management. It was also the contention of the management that there was no espousal of such dispute by the union of the workman. The High Court by holding as under :

“25. It is pertinent to state here even at the cost of repetition that a Tribunal/Labour Court would get jurisdiction to decide a dispute only when it is properly espoused under the provisions of the ID Act. In such a case, any objections to non-espousal or improper espousal cannot be brushed aside lightly by the Tribunal/Labour Court rather, must be heard and decided before hearing the parties on merits. Further, merely because a party to a dispute had not objected to the terms of reference would not be sufficient enough a ground not to entertain objections to proper espousal of a dispute. As I have already observed that the issue of espousal goes to the root of the matter, hence objections, if any to espousal must be decided first before a tribunal goes any further to decide on the merits of the dispute.”

19. There are also observation in the above judgment that an industrial dispute can be raised under section 2 (A) of the Act only by individual workman and such an individual dispute would fall under the definition of the industrial dispute as define in section 2 (A) of the Act. It is clear from the record that in the present case matter was taken through the union before ALC regarding the payment of wages, Medical benefits and ESIPF etc. as is clear from the minutes of conciliation dated 10-06-2009. Yet the matter regarding the termination of the services of the workman was never espoused before the union of the workman. In fact, the services of the workman were terminated when conciliation proceeding were in progress before ALC.

20. Even if it is assumed that espousal of the case of workman is not necessary when the order of termination has been passed against the individual workman, In as much as section 2 A of the Act gives liberty to the individual workman to directly file the case before the tribunal/Court. But the position in the case on hand is different as “collective petition” has been filed in respect of several workmen directly by such workman through their advocate or A/R. Though this tribunal initially was of the view of that it is simply a procedural infirmity and non compliance of the same should not be fatal to such proceeding involving several workmen. The tribunal was also of the view that act is a social and beneficial legislation and legitimate claim of workmen can not be defeated on trivial ground. However, having regard to the ratio of the law in Punjab Dairy Development Corporation case as well as Lord Krishna Textile Mills/ National Textile Corporation Ltd. Vs Rampal Singh and Ors. Cases, (Supra) this tribunal is left with no discretion in the face of emphatic pronouncement of the law in the said rulings. In Lord Krishna Textile Mills/ National Textile Corporation Ltd. Vs Rampal Singh and Ors. Case, the Hon’ble High Court went to the extent of observing that an individual dispute not espoused by the union or a substantial number of workman is not an industrial dispute. It was also observed that issue of espousal goes to root of the case and must be decided as preliminary issue and industrial tribunal would get jurisdiction to decide dispute only when it is properly espoused. In the said case worker had individually filed the petition and question of espousal was raised by the management when both the parties have concluded the evidence. Thus, an individual dispute can become an industrial dispute only when the same falls within the conditions contained in the said section.

21. Yet, again in the case of Sh. Rajendra Singh case (supra) the Hon’ble High Court considered the ambit and scope of section 2 (A) of the Act. vis-à-vis the provision of section 10 (4 A) inserted by Delhi Government. In this case, the workman who was in the bank was removed after holding during enquiry and aggrieved workman filed petition before the tribunal without complying with the provisions of Sub-section (2) of section 2(A) of the act. The tribunal rejected the claim petition for not complying with the above provision and workman preferred writ petition against the order of the tribunal. It was contended on the behalf of workman that requirement to approach the Conciliation machinery as provided under sub section 2 of Section 2 A, was not mandatory as Section 10 (4A), notwithstanding provisions of Section 2A provides that the workman could raise industrial dispute and approach the industrial tribunal without going through the procedure for conciliation. This contention of the workman was rejected by the Hon’ble High Court by holding as under:

17. The repugnancy between Section 2A and 10(4A) of the ID Act satisfies the said three conditions laid down in 'Karunanidhi v. Union of India' (supra) and therefore applying the principles enumerated under Article 254 of the Constitution in the light of „Govt. of A.P. v. J.B. Educational Society” (supra), it is beyond any reasonable uncertainty that Section 2A of the ID Act (introduced by Central Amendment Act 24 of 2010) shall prevail over Section 10(4A) of the ID Act (introduced by State Amendment Act).

18. Further, Section 2A of the ID Act begins as, "(2) Notwithstanding anything contained in Section 10....." which implies that this Section has an overriding effect not only over the provisions of Section 10 of the ID Act but also its State amendments. I am of the view that the Central Amendment Act, 2010 was passed while keeping in perspective the amendments made to Section 10 and with the use of the aforementioned words it seeks to achieve an overriding effect over the amendments made to Section 10 of the ID Act.

19. The expression "Notwithstanding" was interpreted by the Apex Court in „ Chandavarkar Sita Ratna Rao v. Ashalata S. Guram' (1986) 4 SCC 447 wherein it was of the view that:

"67. A clause beginning with the expression "notwithstanding anything contained in this Act or in some particular provision in the Act or in some particular Act or in any law for the time being in force, or in any contract" is more often than not appended to a section in the beginning with a view to give the enacting part of the section in case of conflict an overriding effect over the provision of the Act or the contract mentioned in the non obstante clause. It is equivalent to saying that in spite of the provision of the Act or any other Act mentioned in the non obstante clause or any contract or document mentioned the enactment following it will have its full operation or that the provisions embraced in the non obstante clause would not be an impediment for an operation of the enactment. See in this connection the observations of this Court in South India Corpn. (P) Ltd. v. Secretary, Board of Revenue, Trivandrum [AIR 1964 SC 207, 215 : (1964) 4 SCR 280]

68. It is well settled that the expression "notwithstanding" is in contradistinction to the phrase "subject to", the latter conveying the idea of a provision yielding place to another provision or other provisions to which it is made subject...."

20. Therefore, it is beyond any reasonable doubt that the Central Amendment Act inserting Section 2A has an overriding effect over Section 10(4A) not only because the former is a Central Amendment that has been given effect to from the year 15.09.2010 (i.e. 7 years from the date of Delhi State Amendment of 22.08.2003) but also because of usage of the words „Notwithstanding anything contained in Section 10“ in the said Section.

21. Thus, I find no illegality or infirmity in the impugned award dated 23.04.2013, passed in ID No.52 of 2011 by the learned Presiding Officer, Central Govt. Industrial Tribunal, Karkardooma Courts Complex, Delhi.”

22. It is thus clear from the ratio of law discussed above that provisions of section 2 (A) are required to be followed by the workman before directly filing a petition under section 2(A) of the Act. In the said case the individual workman has not approached the conciliation officer in terms of provisions of sub section 2 of section 2(A) of the act. The situation in the present case is worse as a collective claim petition has been filed by the several workmen in respect of individual claims.

23. Hon’ble apex Court under similar circumstances held as under:

”18. In *P.Virudhachalam Lotus Mills (1998) 1 SCC 650*, the Supreme Court observed that an individual workman comes into the picture only in connection with a limited class of industrial disputes as indicated by Section 2-A of the Act of 1947, dealing with discharge, dismissal, retrenchment or otherwise termination of service of an individual workman. Save and except the aforesaid class of disputes, which an individual workman can raise, rest of the industrial disputes including disputes pertaining to illegal lock-out, lay-off and lay-off compensation have to be filtered through the process of collective bargaining and they are disputes of general nature or class disputes wherein an individual workman by himself has no say.

19. In *Bharat Heavy Electricals Ltd. Anil (2007) 1 SCC 610*, the Supreme Court observed:

18. There is one more reason for coming to the above conclusion. There is a difference between an individual dispute which is deemed to be an industrial dispute under Section 2-A of the said 1947 Act on the one hand and an industrial dispute espoused by the union in terms of Section 2(l) of the said 1947 Act. An individual dispute which is deemed to be an industrial dispute under Section 2-A concerns discharge, dismissal, retrenchment or termination whereas an industrial dispute under Section 2(l) covers a wider field. It includes even the question of status. This aspect is very relevant for the purposes of deciding this case. In *Radhey Shyam v. State of Haryana (1998) 2 LLJ 1217 (P&H)* it has been held after considering various judgments of the Supreme Court that Section 2-A contemplates nothing more than to declare an individual dispute to be an industrial dispute. It does not amend the definition of industrial dispute set out in Section 2(k) of the Industrial Disputes Act, 1947 [which is similar to Section 2(l) of the said 1947 Act]. Section 2-A does not cover every type of dispute between an individual workman and his employer. Section 2-A enables the individual worker to raise an industrial dispute, notwithstanding, that no other workman or union is a party to the dispute. Section 2-A applies only to disputes relating to discharge, dismissal, retrenchment or termination of service of an individual workman. It does not cover other kinds of disputes such as bonus, wages, leave facilities, etc.

24. I have also gone through the ratio of the law in the case of India Yamaha Motor Pvt Ltd. Vs Dharam Singh and Ors.(2015) 2 Supreme Court Cases 108 relied upon on behalf of the workmen. It was an industrial dispute involving 113 workmen who were represented by only 5 workmen. Moreover, it was a case under U.P. industrial dispute Act and controversy involved in the said case was different from the one under discussion. The question of the maintainability of a petition under section 2 (A) of the Act was not at all under consideration. The Hon’ble apex Court in the said case was concerned with interpretation of Rule 40 of U.P. industrial dispute rules, which correspond to section 36 of the ID Act. In Para 22 of judgment Hon’ble apex Court held as under:

“While disposing of the present controversy, it is necessary for us to clarify that the instant conclusion has been drawn by categorically arriving at the conclusion that section 6-I of the U.P. Industrial Disputes Act and Rule 40 of the U.P. Industrial Dispute Rules, would be applicable, only in a situation where the workmen choose to be represented through a third party before the Industrial Tribunal. The above provisions would be inapplicable, when the workmen choose to present their own case by themselves. In the instant situation, none of the above provisions would be invoked. Accordingly, it is also imperative for us to hold that the judgment relied upon by the learned counsel for the appellant would not be applicable to the facts and circumstances of

the present case, since the aforesaid judgment was on the interpretation and the applicability of Rule 40(I) (i) (c) of the U.P. Industrial Disputes Rules.”

25. I have also gone through the ratio of the law in Maharashtra General Kamgar Union Vs. Haldyn Glass Works (220 (2) LLJ 273) and management in the said case dismissed large number of workman, the appropriate government referred the dispute to the industrial tribunal by clubbing the case of several workmen together in one reference. The management had taken the objection in the reply that reference was not legally maintainable as it was a case of individual dispute under section 2 (A) and not an industrial dispute under section 2(K) of the industrial Act. It was also urged by the management that substantial number of workman are not on the side of the claimants union and claimants union was unrecognized union. The Labour Court held that it is an “individual dispute” as such reference is not maintainable there after a writ petition was filed by the workman union and the order of the Labour Court holding that reference was not maintainable as it was not espoused by the substantial number of workman or recognized union was set aside. The above ratio does not help the case of the workman herein for the simple reason that there is no reference made by Appropriate Government under the Act. Moreover, the above case was under the provision of section 36 of Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act. This tribunal is also of the considered view that if a reference had been made under section 10 of ID Act by the Appropriate Government, the legal position would have been different and case of several workman would have certainly been covered under section 10 of the Act. In that eventuality the objection regarding maintainability would not arise.

26. It is clear from the perusal of the above Para that question of filing collective/Joint petition under section 2 (A) of the Act was not at all under consideration before the Hon’ble apex Court, as such ratio of this ruling is not of any help to the workmen.

27. As a result of the above discussion, it is held that joint claim petition / collective petition in aspect of several workmen filed directly under section 2 (A) of the industrial dispute Act 1947 is not legally maintainable. However, it is made clear that workman herein would be at liberty to file claim before this tribunal after following the due procedure under the I.D. act, and the observations made above would not stand in the way of workman filing such petitions. An award is accordingly passed. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Dated : December 2, 2016

A. C. DOGRA, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 47.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यूसीएल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 57/2012) को प्रकाशित करती है जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-22012/194/2011-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 47.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 57/12) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the management of Western Coalfields Limited and their workmen, received by the Central Government on 03.01.2017.

[No. L-22012/194/2011-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/57/12

Shri Bharat Singh,
General Secretary,
Sanuket Coyla Mazdoor Sangh (ATAC),
Eklehra, Chhindwara

... Workman/Union

Versus

Deputy Area Manager,
WCL, Shivpuri Sub Area,
Pench Area,
Chhindwara

...Management

AWARD

Passed on this 18th day of October 2016

1. As per letter dated 20-4-12 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No. L-22012/194/2011-IR(CM-II). The dispute under reference relates to:

“Whether the action of the Sub Area Manager, WCL, Shivpuri Sub Area in not providing compassionate appointment to Kumari Deepali Chourasia, dependent sister of Late Shri Deepak Chourasia is legal and proper? If not, to what relief Ku. Deepali Chourasia is entitled to?”

2. After receiving reference, notices were issued to the parties. Ist party claimant submitted statement of claim through General Secretary, SKMS Union. The case of Ist party claimant is that Deepak Chourasia was appointed on 1-6-92, he was given token No. 841. Father of Late Rajak Chourasia namely Chagan Chourasia was working in DP No.2. he died on 25-1-09. His name was removed from muster roll as per 4th NCWA, the dependents of deceased employee were provided benefit of dependent employment under para 9.4.2. the father of Deepak Chourasia had died earlier in time. That after death of Deepak, he left his unmarried sisters as his dependents. Late Deepak was appointed in place of his father. Unmarried sister of Deepak had submitted applications for employment. Management shows inability to provide employment to them. Late Deepak died unmarried. Entries are recorded in his service record. The names of his sisters were recorded as his dependents. As per bipartite agreement, person residing with deceased workman is treated as his dependent. It is reiterated that Ku. Deepali Chourasia was dependent of Late Deepak. Ist party prays for appointment on compassionate ground.

3. 2nd party management filed Written Statement on 14-3-14 opposing claim of Ist party. 2nd party submits that deceased Deepak was appointed on 1-6-92. He was deployed at Vishnupuri underground Mine No.2 Shivpuri Sub Area. He died on 25-2-09. The scheme for employment to dependents came into effect from 1-1-1979. The dependent employment is provided for wife, husband, unmarried daughter, son legally adopted son. If no such direct dependent is available for employment younger brother, widow daughter or son in law residing with deceased almost wholly dependent on earnings of deceased workman. It is reiterated that dependent be considered for employment should be physically fit and suitable for employment age not more than 35 years. Provisions of dependent employment were carried further in NCWA-III, IV,V,VI. Clause 9.3.0,9.4.0, 9.5.0 of NCWA-VI, NCWA-IX revised scale was jointly prepared. It is reiterated that unmarried sisters are not included for dependent employment. The scheme introduced as per NCWA-VI also provided for payment of monetary benefits Rs.6000 from 1-5-08. In case of death either in accident or due to other reasons or medical unfitness, if no employment has been offered, the male dependent of concerned workman is of below 12 years of age was to be kept on live roster till attaining age of 18 years. If the dependent is on live roster, female dependent would be paid monetary compensation. Gratuity ceiling is upto Rs.10 Lakhs. 2nd party submits that unmarried sister are not included for dependent employment. Therefore the claim of Ist party for compassionate appointment cannot be allowed.

4. Ist party filed rejoinder reiterating contentions in statement of claim. It is submitted that amount of gratuity was paid to Ist party claimants as dependent of deceased workman.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether the action of the Sub Area Manager, WCL, Shivpuri Sub Area in not providing compassionate appointment to Kumari Deepali Chourasia, dependent sister of Late Shri Deepak Chourasia is legal and proper?	In Affirmative
(ii) If not, what relief the workman is entitled to?”	Claimant Deepali is not entitled to any relief.

REASONS

6. The term of reference pertains to denial of dependent employment to Deepali Chourasia sister of deceased workman Deepak. Affidavit of evidence is filed by Deepali Chourasia. In her affidavit, she has stated that Deepali was appointed on -6-92 in Vishnupuri mine, token No. 841 was given to the deceased worker. Deepak died on 25-1-09, she was residing with Deepak Chourasia. As such she was dependent on him. In her cross-examination, claimant Deepali says Deepak was her brother, he was working during 1994 to 2009. Deepti is her sister, Deepak was elder to her. He was not married. That she and her elder sister are not married. Their parents are not alive. They reside in their house earlier they were residing in rented house of one Yadav, she is not doing any work. Her sister is doing work of stitching blouse and falls and sarees earning Rs.1-2000 per month. They also own two shops- rent of Rs.2000 per month is received from those shops. She had submitted application for employment her sister had not submitted application.

7. Management filed affidavit of evidence of witness Shri P.Subramani supporting contentions in Written Statement filed by 2nd party. It is submitted that unmarried daughters are not covered for dependent employment as per NCWA VI. Management's witness has proved Exhibit M-1. In his cross, management witness says amount of gratuity of deceased was paid, payment of PF amount was pending he shown readiness to produce rules regarding compassionate dependent employment. Copy is marked at Exhibit W-9.

8. Management has also produced copy of NCWA-II which is marked Exhibit M-2. Clause 10.4.2 of NCWA-II deals with employment of one dependent of workman who dies while in service. the dependent for this purpose means wife, husband as the case may be, unmarried daughter, son and legally adopted son. If no such direct dependent is available for employment younger brother, widow daughter or son in law residing with deceased almost wholly dependent on earnings of deceased workman. Para 10.4.2 provides dependent be considered for employment should be physically fit and suitable for employment age not more than 35 years. The unmarried sister is not covered as dependent in NCWA-II.

9. Ist party has produced documents Exhibit W-1 copy of affidavit of Shri Deepak Kumar showing Deepti and Deepali as his sisters dependent on him. Exhibit W-2 is copy of application submitted to WCL, Pench Area w.r.t. dependents of Deepak and amount of Gratuity, Group Insurance, Exhibit W-3 is office order dated 31-3-01 after death of Deepak Kumar on 25-1-09, his name was removed from roll. Exhibit W-4 is service register, details of Late Deepak are recorded. Exhibit W-5 is copy of particulars of late Deepak – date of death is shown 1-7-71, his date of appointment was June 1992 and unmarried. Exhibit W-6 is the part of Exhibit W-5 itself. Exhibit W-7 is copy of application submitted by Deepti. Exhibit W-8 is joint photograph. All those documents cannot establish that the claimant Deepali is entitled to dependent employment. As the provisions of NCWA-II discussed earlier are clear that unmarried sister is not covered for dependent employment. Action of 2nd party denying dependent employment cannot be said illegal. For above reasons, I record my finding in Point No.1 in Affirmative.

10. In the result, award is passed as under:-

- (1) The action of the management denying dependent employment to Deepali Chourasia is legal.
- (2) Ku. Deepali Chourasia is not entitled to any relief.

R. B. PATLE, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 48.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ग्रामीण बैंक ऑफ आर्यव्रत के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 31/2015) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-12011/35/2015-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 48.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 31/2015) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the management of Gramin Bank of Aryavart and their workmen, received by the Central Government on 03.01.2017.

[No. L-12011/35/2015-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

IN THE LOK ADALAT / PRESENT BEFORE SRI SHUBHENDRA KUMAR, HJS, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOR COURT, KANPUR

Industrial Dispute No. 31 of 2015

Between :

The Member,
State Working Committee of U P Bank Workers Organization,
3/13, Mathura Nagar,
Aligarh.

And

The Chairman,
Gramin Bank of Aryavart,
A-2/46-, Vijay Khand,
Gomti Nagar,
Lucknow, 226010.

AWARD

1. Central Government, Mol, New Delhi, vide notification no. L-12011/35/2015-IR (B-1) dated 23.06.2015, has referred the following dispute for adjudication to this tribunal.
2. Whether the action of the management of Chairman, Gramin Bank of Aryavart, Lucknow, declining payment of Bonus to the Safai Karamchari for the financial year 2012-13 and also declining payment of equal wages to equal work to Safai Karmachari posted in various branches of the bak is just and legal? And if not, what relief the concerned workmen are entitled to?
3. It is pertinent to point out here that there is no mention in the reference order as to on whose behalf the present reference has been raised by the union and also it is not known the name of the workers.
4. After receipt of the present reference order from the Government of India, Mol, New Delhi, notices were issued to the parties but neither the union nor the workers put their appearance in the case on the date fixed in the case nor filed any claim statement in support of their claim.
5. Therefore, from the above it appears that neither the worker nor the union is interested in prosecuting their case, therefore, in the circumstances of the case the tribunal is totally handicapped to answer the reference except holding that the union is not entitled to any relief for want of pleadings and proof.
6. Reference is, therefore, answered accordingly against the union.

SHUBHENDRA KUMAR, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 49.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर मध्य रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 02/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41012/55/2011-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 49.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 02/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the management of North Central Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41012/55/2011-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE SRI SHUBHENDRA KUMAR, HJS, PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOR COURT, KANPUR****Industrial Dispute No. 02/2012****Between :**

Sri Rameh Kumar Chaurasia,
son of Nand Lal Chaurasia,
c/o Sri Lalta Prasad Bajpai,
118/6, Shastri Nagar,
Kanpur

And

The Divisional Railway Manager,
North Central Railway,
Allahabad

AWARD

1. Central Government, Mol, New Delhi, vide notification no.L-41012/55/2011-IR(B-1) dated 02.01.12, has referred the following dispute for adjudication to this tribunal.
2. Whether the action of the management of North Central Railway, in terminating the services of Sri Ramesh Kumar Chaurasia son of Sri Nand Lal Chaurasia w.e.f. 23.11.06 is legal & Justified? To what relief the workman is entitled?
3. The case of the worker is that he was appointed on 24.09.94 as Senior Halwai in canteen GMC Juhi Yard. He also stated that an application was moved by him for his appointment and on the basis of his application, he was interviewed and medical was also done by the railway doctor. It is also stated that the canteen was the Railway Employees and the earning of the canteen was deposited with office clerk Sri Har Charan Singh. The worker stated that he has worked from 24.09.94 to 23.11.06 continuously and his services were terminated without any orders in writing in breach of section 25F of the Act. On 23.11.06, ADRM, Sri Ravindra Kumar Gupta seized the canteen with the help of RPF Inspector Sri R K Mishra and also terminated the service of the worker without any charge sheet and domestic inquiry.
4. On the basis of above allegations the worker has prayed that he be directed to be reinstated in the service with back wages etc.
5. The opposite party filed their reply vehemently denying all the allegations of the worker. It is alleged by the opposite party that the worker was never appointed by the management nor any application was invited from the worker for the post of halwai and no he was interviewed at any point of time by the railway administration, hence there is no question of inviting any application nor he was interviewed for any post by the railway administration. In fact the said canteen was not run by the railway administration but, the said canteen was for the railway staff and run by the union. As the worker was never appointed, therefore, question of making payment of wages to him through vouchers by the office of Chief Area Manager or by the Area Operating Manager does not arise. There is certain procedure for recruitment in the railway department and without following the same no person can be appointed. As the canteen was run illegally hence the same was seized. The worker has filed the case against the railway without any sufficient cause, hence the case of the worker is liable to be rejected.
6. The worker vide application no.18.04.2012 has filed 26 documents which are in the nature of photocopies. Worker has not tried to summon the original of the documents from the management.
7. In the present case the opportunity to lead evidence by the management was closed vide order dated 22.05.2015.
8. Worker has examined himself as w.w.1 and has stated in his examination in chief that he was appointed by the Area Operating Manager in the year 1994 and worked continuously till 2006 when he was removed from service. The work which was done by him was supervised by Haricharan Singh who was clerk. No notice or retrenchment compensation was given to him. He received wages at the rate of Rs.500/- per month.
9. In his cross examination he stated that the department had never advertised the post, he was never given any appointment letter, railway administration issues Pass and PTOs to its employee which benefit was never extended to him. He goes on to state that he was used to be paid his wages after signing the register and the canteen was being run by Sri Srivastava. He denied the suggestion that railway had not appointed him nor the canteen was of railway department. He also expressed his ignorance to the effect whether not the dispute filed by him in Lucknow was dismissed and filed papers are in the nature of photocopies.

10. I have heard the arguments of the parties at length and have carefully perused the whole records of the case.
11. It may be pointed out here that the worker has filed photocopies of the documents and neither in his statement nor in his evidence, he has whispered any thing about the genuineness of the documents and nor has summoned the original of these documents from the management. It is settled law that document in the shape of photocopy cannot be read in evidence, therefore, the photocopy of the documents is of no help to the worker.
12. In his pleadings the worker has stated that he was appointed on 24.09.94 and worked continuously till 22.01.06 and he was removed from service by the railway on 23.01.06, but he has not filed any appointment letter issued by the opposite party appointing him as senior halwai. He has also not filed any salary slip, he has also not filed any documents which may depict that he was interviewed and medically examined by the railway doctor before his appointment.
13. From certain documents filed by him it reveals that he was issued an identity card by the union of railway employees showing him to be the member of the union. Certain documents have also been filed by the worker which reveals that he was paid some amount of wages but from these documents it is not at all clear as by whom the amount was paid to the worker.
14. As such from the evidence of the worker as well as own documents of the worker like identity cards issued from time to time by the union the worker cannot be deemed to be appointed by the opposite party or he was paid any salary by the opposite party.
15. From the above discussions, it is concluded that when there was no relationship of employer and employee between the opposite party and the worker, provision of section 25F of the Act is not applicable in the case of the worker.
16. Worker has miserably failed to establish that he was ever appointed by the opposite party by order in writing and that he was paid salary at any point of time by the opposite party, therefore, having no relationship of employer and employee between the railway and the worker, action of the railway under reference cannot be held to be illegal.
17. Accordingly worker is not entitled for any relief and his claim is liable to be rejected and is hereby rejected.

SHUBHENDRA KUMAR, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 50.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 160/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/19/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 50.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 160/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/19/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 160/2013

1. The Sr. Divisional Mechanical Engineer,
Western Railway,
Pratapnagar,
Baroda (Gujarat)
2. The Divisional Railway Manager(Estt),
Western Railway,
Pratapnagar,
Baroda (Gujarat)

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
Shastri Pole Kothi,
Baroda (Gujarat)

...Second Party

For the First Party : None

For the Second Party : Shri R.S. Sisodiya

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/19/2013-IR(B-I) dated 20.09.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the Union, Paschim Railway Karmachari Parishad, Baroda to transfer Shri Dhiraj Kumar M. Makwana, Diesel Shed, Khalasi from Vatva, Ahmedabad to Baroda Division is legal, proper and just? If so, to what relief the workman Shri Dhiraj Kumar M. Makwana is entitled to?”

1. The reference dates back to 20.09.2013. Both the parties were served with a registered notice dated 28.05.2014. Neither of the parties responded to the notice by filing the statement of claim or written statement, as the case may be. However, the second party represented by The Divisional Secretary, Paschim Railway Karmachari Parishad, Shri R.S. Sisodiya by way of his written response expressed unwillingness to prosecute the case.
2. Thus the reference is disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 51.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 1023/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41012/102/95-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 51.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1023/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41012/102/95-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD****Present :**

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 1023/2004

The Deputy Controller of Stores,
Western Railway, Nagdara,
Ajmer – 305001

...First Party

V/s

The Deputy Secretary,
Paschim Railway Kamdar Sangh,
78/9 C, National Highway,
Gandhidham (Kutch)

...Second Party

For the First Party :

For the Second Party :

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/102/95-IR(B-I) dated 01.10.1995 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the Western Railway Kamdar Sangh, Gandhidham against the Dy. Controller of Stores (General), W.Rly., Ajmer, for ex-post facto sanction for retention of Railway quarter No. 165 D at Gandhidham by Shri Harmender Singh during the period of transfer to Abu Road and re-transfer to Gandhidham and further for refund of recovery of penal rent, just, valid and legal? If/so, to what benefits the workman is entitled for and what directions are necessary in the matter?”

1. The reference dates back to 01.10.1995. In response to the notice issued by the tribunal, second party workman submitted his statement of claim on 22.10.1997 along with the documents vide list Ext. 3. The first party also submitted written statement Ext. 5 on 18.03.1998. Second party workman was also examined by the State Industrial Tribunal, Rajkot on 17.09.1999. Since then the second party as well as the first party did not appear in the tribunal. On transfer of the reference to this CGIT-cum-Labour Court, the tribunal issued fresh notice on 24.01.2011 to both the parties to appear on 13.04.2011 but neither of the parties responded to the notice by putting their appearance. Thus it appears that neither of the parties is willing to prosecute the case. The matter relates to retention of official quarter No. 165 D by the workman even after transfer to Abu Road and back to Gandhidham leading to recovery of rent. The said matter might have been resolved on the administrative side. Therefore, it does not appear justified to wait for the response of the workman.
2. Thus the reference is disposed of as not pressed in the absence of evidence of second party.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 52.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 190/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/87/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 52.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 190/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/87/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 190/2013

The Divisional Railway Manager,
Western Railway,
Ahmedabad Division,
Ahmedabad (Gujarat)

...First Party

V/s

The General Secretary,
Western Railway Kamdar Sangh,
78/9-C, National Highway,
Gandhidham (Kutch)

...Second Party

For the First Party : Shri H.B. Shah

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/87/2013-IR(B-I) dated 30.10.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Sr. Section Engineer (Electrical), Western Railway, Gandhidham by imposition of penalty of stoppage of annual increment to Shri Akshay Kumar Paikaray, Electric Fitter Gr. III is legal and justified? To what relief Shri Akshay Kumar Paikaray is entitled?”

1. The reference dates back to 30.10.2013. In response to the notice dated 15.11.2013 issued by the tribunal by registered post, neither of the parties submitted the statement of claim or written statement, as the case may be, despite the fact that the acknowledgement of service was received, after a lapse of 3 years. The matter relates to imposition of penalty of stoppage of annual increment. As the parties have not responded even after a lapse of 3 years, therefore, it appears that neither of the parties appears to be willing to prosecute the case.

2. The reference is disposed of with a finding that the action of the Sr. Section Engineer (Electrical), Western Railway, Gandhidham by imposition of penalty of stoppage of annual increment to Shri Akshay Kumar Paikaray, Electric Fitter Gr. III is legal and justified.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 53.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 192/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/90/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 53.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 192/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/90/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 192/2013

The Divisional Railway Manager (E),
Western Railway,
Divisional Division,
Ahmedabad (Gujarat)

...First Party

V/s

The President,
Paschim Railway Karmachari Parishad,
Near Vishwakarma Temple,
Opp. Railway Colony,
Sabarmati, Ahmedabad (Gujarat)

...Second Party

For the First Party : None

For the Second Party : Shri R.S. Sisodiya

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/90/2013-IR(B-I) dated 30.10.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Railway Administration i.e. DRM, Western Railway, Ahmedabad by issuing the charge sheet and awarding punishment viz., S/Shri Baldev Shivilal, Yogendra and Goving without giving an opportunity to defend these three workers is justified? To what relief these three workmen are entitled?”

1. The reference dates back to 30.10.2013. Both the parties were served with a registered notice dated 28.05.2014. Neither of the parties responded to the notice by filing the statement of claim or written statement, as the case may be. However, the second party represented by The Divisional Secretary, Paschim Railway Karmachari Parishad Shri R.S. Sisodiya by way of his written response expressed unwillingness to prosecute the case.

2. Thus the reference is disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 54.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 193/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/86/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 54.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 193/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/86/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 193/2013

The Divisional Railway Manager(E),
Western Railway,
Divisional Office,
Ahmedabad (Gujarat)

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
E/209, Sarvotam Nagar, Sabarmati,
Ahmedabad (Gujarat)

...Second Party

For the First Party : None

For the Second Party : Shri R. S. Sisodiya

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/86/2013-IR(B-I) dated 30.10.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Divisional Railway Manager (E), Ahmedabad in not paying the pension and stopping of passes to Smt. Saroja, wife of late Shri Mari Keshavan is justified? To what relief Smt. Saroja, Wife of late Shri Mari Keshavan is entitled?”

1. The reference dates back to 30.10.2013. Both the parties were served with a registered notice dated 28.05.2014. Neither of the parties responded to the notice by filing the statement of claim or written statement, as the case may be. However, the second party represented by The Divisional Secretary, Paschim Railway Karmachari Parishad, Shri R.S. Sisodiya by way of his written response expressed unwillingness to prosecute the case.
2. Thus the reference is disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 55.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 148/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/83/2012-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 55.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 148/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/83/2012-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 23rd September, 2016

Reference: (CGITA) No. 148/2012

1. The Divisional Railway Manager,
Western Railway, Pratapnagar,
Baroda (Gujarat)
2. The Chief Medical Suptd. Manager,
Western Railway, Pratapnagar,
Baroda (Gujarat)
3. The Chief Health Inspector,
Western Railway,
Anand (Gujarat)

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
Shastri Pole, Kothi,
Baroda (Gujarat) – 390001

...Second Party

For the First Party : None

For the Second Party : Shri R.S. Sisodia

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/83/2012-IR (B-I) dated 27.09.2012 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of Western Railway in not changing the category from Safaiwala to Khalasi of Shri Vikram C. Baria is legal and justified? To what relief the workman is entitled?”

1. The reference dates back to 27.09.2012. After service on both the parties, today on 23.09.2016, on behalf of the second party Shri R.S. Sisodiya, President, Paschim Railway Karmachari Parishad submitted that the union does not want to prosecute the case. Hence the reference decided as not pressed.
2. The award is passed accordingly.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 56.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 1127/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41012/156/99-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 56.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1127/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41012/156/99-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 23rd September, 2016

Reference: (CGITA) No. 1127/2004

The Divisional Railway Manager,
Western Railway, Divisional Office,
Kothi Compound,
Rajkot (Gujarat) – 360001

...First Party

V/s

The Secretary,
Railway Pensioner's Association,
Ashirwad, 11, Bajrangwadi,
Jamnagar Road,
Rajkot (Gujarat) – 360006

...Second Party

For the First Party : Shri Janak R. Pandya

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/156/99-IR(B-I) dated 29.10.1999 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Divisional Railway Manager, Western Railway, Rajkot over denial of upgradation promotion to Shri K. Vasudevan, Ex. ESM under C.S.I., Rajkot in Highly Silled –II w.e.f. 01.01.1984 is just, valid and legal? If not to what benefit the workman is entitled for and what directions are necessary in the matter?”

1. The reference dates back to 29.10.1999. The second party, Secretary, Railway Pensioner's Association, submitted the statement of claim Ext. 2 on 27.02.2000 along with no. of documents. The first party also submitted the written statement Ext. 7 that too with no. of documents on 26.03.2000 but since then the second party has not been leading evidence and has also been absent since 2010. Thus it appears that second party has not willing to prosecute the case. Thus the reference is decided as not pressed and the the action of the Divisional Railway Manager, Western Railway, Rajkot over denial of upgradation promotion to Shri K. Vasudevan, Ex. ESM under C.S.I., Rajkot in Highly Silled –II w.e.f. 01.01.1984 is just, valid and legal.
2. The award is passed accordingly.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 57.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 188/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/85/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 57.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 188/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/85/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 188/2013

The Divisional Railway Manager (E),
Western Railway, Divisional Office,
Rajkot, Gujarat

...First Party

V/s

The Divisional Secretary,
Paschim Railway Karmachari Parishad,
'Shiv Om', 2/9, Junction Plot,
Rajkot (Gujarat) – 360001

...Second Party

For the First Party : None

For the Second Party : Shri R.S. Sisodiya

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/85/2013-IR (B-I) dated 30.10.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union for granting set pass, increment, benefits of 6th Pay Commission, overtime and other allowances to three employees S/Shri Dattaram, Jaggubai and Narender Singh Zala, CCCR- Surendernagar is justified? To what relief these three employees are entitled?”

1. The reference dates back to 30.10.2013. Both the parties were served with a registered notice dated 28.05.2014. Neither of the parties responded to the notice by filing the statement of claim or written statement, as the case may be. However, the second party represented by The Divisional Secretary, Paschim Railway Karmachari Parishad, Shri R.S. Sisodiya by way of his written response expressed unwillingness to prosecute the case.
2. Thus the reference is disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 58.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 175/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/72/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 58.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 175/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/72/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 175/2013

The Divisional Railway Manager (E),
Western Railway, Divisional Office,
Kothi Compound,
Rajkot, Gujarat

...First Party

V/s

The President,
Paschim Railway Karmachari Parishad,
28-B, Narayan Park,
Behind Chandkheda Railway Station,
Sabarmati, Ahmedabad (Gujarat)

...Second Party

For the First Party : None
 For the Second Party : Shri R.S. Sisodiya

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/72/2013-IR(B-I) dated 30.09.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the DRM, Western Railway, Rajkot in not transferring Shri Murgesh Buch, Painter on family and medical problem to Rajkot or Hapa is justified? If so, what relief the workman is entitled to?”

1. The reference dates back to 30.09.2013. Both the parties were served with a registered notice dated 28.05.2014. Neither of the parties responded to the notice by filing the statement of claim or written statement, as the case may be. However, the second party represented by The Divisional Secretary, Paschim Railway Karmachari Parishad, Shri R.S. Sisodiya by way of his written response expressed unwillingness to prosecute the case.
2. Thus the reference is disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 59.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 174/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/71/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 59.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 174/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/71/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
 Presiding Officer, CGIT-cum-Labour Court,
 Ahmedabad,
 Dated 30th September, 2016

Reference: (CGITA) No. 174/2013

The Area Manager,
 Western Railway,
 Gandhidham,
 Kutch (Gujarat)

...First Party

V/s

The General Secretary,
 Western Railway Kamdar Sangh,
 78/9-C, National Highway,
 Gandhidham (Kutch)

...Second Party

For the First Party : None

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/71/2013-IR(B-I) dated 30.09.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Sr. Section Engineer (Electrical), Western Railway, Gandhidham by imposition of penalty of stoppage of privilege passes to three employees’ viz., S/Shri Jaish Kumar, Khalasi and Shri Akshay Kumar Paikaray, Fitter is legal and justified? If so, what relief these three employees are entitled to?”

1. The reference dates back to 30.09.2013. In response to the notice dated 18.10.2013 issued by the tribunal by registered post, neither of the parties submitted the statement of claim or written statement, as the case may be, despite the fact that the acknowledgement of service was received, after a lapse of 3 years. The matter relates to imposition of a petty penalty of stoppage of privilege passes to some of the workman. As the parties have not responded even after a lapse of 3 years, therefore, it appears that neither of the parties appears to be willing to prosecute the case.

2. Thus the reference is disposed of with a finding that the action of the Sr. Section Engineer (Electrical), Western Railway, Gandhidham by imposition of penalty of stoppage of privilege passes to three employees’ viz., S/Shri Jaish Kumar, Khalasi and Shri Akshay Kumar Paikaray, Fitter is legal and justified.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 60.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 167/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/74/2013-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 60.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 167/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/74/2013-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 1672013

The Divisional Railway Manager (E),
Western Railway,
Divisional Office,
Ahmedabad (Gujarat)

...First Party

V/s

The General Secretary,
Western Railway Kamdar Sangh,
78/9-C, National Highway,
Gandhidham (Kutch)

...Second Party

For the First Party : None

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/74/2013-IR(B-I) dated 23.09.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Management of Divisional Railway Manager, Western Railway, Ahmedabad Division by way of not forwarding the claim of Shri Rampal Mangalji, Retired Mate under PWI, Gandhidham regarding his transfer and packing allowance for condoning the delay in payment after his retirement is justified? If so, what relief Shri Rampal Mangalji, Retired Mate is entitled to?”

1. The reference dates back to 23.09.2013. In response to the notice dated 03.10.2013 issued by the tribunal by registered post, neither of the parties submitted the statement of claim or written statement, as the case may be, despite the fact that the acknowledgement of service was received, after a lapse of 3 years. The matter relates to transfer and packing allowance for condoning the delay in payment after his retirement. As the parties have not responded even after a lapse of 3 years, therefore, it appears that neither of the parties appears to be willing to prosecute the case.

2. The reference is disposed of with a finding that the action of the Management of Divisional Railway Manager, Western Railway, Ahmedabad Division by way of not forwarding the claim of Shri Rampal Mangalji, Retired Mate under PWI, Gandhidham regarding his transfer and packing allowance for condoning the delay in payment after his retirement is justified.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 61.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 114/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/43/2012-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 61.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 114/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/43/2012-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 114/2012

1. The General Manager,
Western Railway,
Churchgate, Mumbai
2. The Chief Engineer (TMC),
Western Railway,
Churchgate, Mumbai
3. The Dy. Engineer (TMC),
Western Railway,
Valsad (Gujarat)

...First Party

V/s

The President,
Paschim Railway Karmachari Parishad,
28-B, Narayan Park,
Behind Chandkheda Railway Station,
Sabarmati, Ahmedabad (Gujarat)

...Second Party

For the First Party : None

For the Second Party : Shri Mukesh N. Pandit & R.S. Sisodiya, the President,
Paschim Railway Karmachari Parishad

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/43/2012-IR(B-I) dated 30.07.2012 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the Union, Paschim Railway Karmachari Parishad, Baroda to give the promotion to Shri Rajendra Prasad, Shri N.C. Damor and Shri Virendrakumar Ahirwar from the year 2005 and not to transfer them to outside Valsad and give the benefits of ST quota to Shri N.C. Damor is legal and justified? To what relief the workman is entitled?”

1. The reference dates back to 30.07.2012. Both the parties were served with a registered notice dated 10.12.2012. In response to the notice, Shri Mukesh Pandit submitted his vakalatpatra Ext. 4 and statement of claim Ext. 5 on behalf of the second party but first party did not respond. However, the second party represented by The Divisional Secretary, Paschim Railway Karmachari Parishad, Shri R.S. Sisodiya by way of his written response expressed unwillingness to prosecute the case.
2. Thus the reference is disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 62.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 11/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/117/2010-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 62.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 11/2012) of the Central Government Industrial Tribunal-cum-

Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/117/2010-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 30th September, 2016

Reference: (CGITA) No. 11/2012

The Divisional Railway Manager,
Western Railway, Bhavnagar Para,
Bhavnagar, Gujarat

...First Party

V/s

The President,
Paschim Railway Karmachari Parishad,
28-B, Narayan Park,
Behind Chandkheda Railway Station,
Sabarmati, Ahmedabad (Gujarat)

...Second Party

For the First Party : None

For the Second Party : Shri R.S. Sisodiya

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/117/2010-IR(B-I) dated 27.12.2011 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the Union, Paschim Railway Karmachari Parishad for payment of salary of higher post to Shri A.K. Pandya, Sr. Clerk, against which he has been transferred or reduction in the responsibilities assigned to him and conducting of work study of all the clerks is legal and justified? To what relief the Union/Workman is entitled?”

1. The reference dates back to 27.12.2011. Both the parties were served with a registered notice dated 26.03.2012. Neither of the parties responded to the notice by filing the statement of claim or written statement, as the case may be. However, the second party represented by The Divisional Secretary, Paschim Railway Karmachari Parishad Shri R.S. Sisodiya by way of his written response expressed unwillingness to prosecute the case.
2. Thus the reference is disposed of as not pressed.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 3 जनवरी, 2017

का.आ. 63.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 45/2014) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03.01.2017 को प्राप्त हुआ था।

[सं. एल-41011/26/2014-आईआर (बी-1)]

बी. एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 3rd January, 2017

S.O. 63.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 45/2014) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 03.01.2017.

[No. L-41011/26/2014-IR (B-I)]

B. S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present :

Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad,
Dated 23rd September, 2016

Reference: (CGITA) No. 45/2014

1. The Divisional Railway Manager(Estt.),
Western Railway, Pratapnagar,
Baroda (Gujarat) - 390004
2. The Asstt. Divisional Engineer(N)
Western Railway,
Nadiad (Gujarat)
3. The Sr. Divisional Engineer(N),
Western Railway,Pratapnagar,
Baroda (Gujarat)

...First Party

V/s

The President,
Paschim Railway KarmachariParishad,
Shastri Pole, Kothi,
Baroda (Gujarat) – 390001

...Second Party

For the First Party : Shri N.S. Vaghela

For the Second Party : Shri R.S. Sisodia

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41011/26/2014-IR(B-I) dated 03.04.2014 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union, Paschim Railway Karmachari Parishad to cancel the transfer order of Shri A.G. Palherkar and not to relieve him form Nadiad is legal, proper and just? To what relief the concerned workman is entitled?”

1. The reference dates back to 03.04.2014. After service on both the parties, first party submitted the vakalatpatra Ext. 6 on 23.09.2016 but today on 23.09.2016, on behalf of the second party Shri R.S. Sisodiya, President, Paschim Railway Karmachari Parishad submitted that the union does not want to prosecute the case. Hence the reference decided as not pressed.
2. The award is passed accordingly.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 4 जनवरी, 2017

का.आ. 64.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 125/05) को प्रकाशित करती है जो केन्द्रीय सरकार को 04.01.2017 को प्राप्त हुआ था।

[सं. एल-12012/112/2005-आईआर (बी-II)]

रवि कुमार, डेस्क अधिकारी

New Delhi, the 4th January, 2017

S.O. 64.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 125/05) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Union Bank of India and their workmen, received by the Central Government on 04.01.2017.

[No. L-12012/112/2005-IR (B-II)]

RAVI KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****NO. CGIT/LC/R/125/05**

Shri Anil Kumar Sahu,
Ex.Cashier-cum-Clerk,
Budhawari Bazar, Near Sardar Building,
Chhindwara (MP)

...Workman

Versus

General Manager,
Union Bank of India,
Central Office, Union Bank Bhawan,
Vidhan Bhawan Marg,
Mumbai

...Management

AWARDPassed on this 24th day of October 2016

1. As per letter dated 11-11-2005 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-12012/112/2005-IR(B-II). The dispute under reference relates to:

“Whether the action of the management of Union Bank of India in dismissing Shri Anil Kumar Sahu, Ex-Cashier cum Clerk from service is legal and justified? If not, relief is the workman concerned entitled to?”

2. After receiving reference, notices were issued to the parties. Workman submitted statement of claim at Page 2/1 to 2/10. Case of workman is that he was initially appointed as clerk on 21-3-03 at Parasia branch. Branch Manager had requested him to submit all particulars of his saving for computation of income tax liability. He refused to submit the particulars asked by Branch Manager. Branch Manager again arrogantly asked him to submit particulars of his savings. It is alleged that workman had behaved arrogantly with Branch Manager, Head cashier using unparliamentarily and abusive language against them. That workman threatened Manager of dire consequences if his salary was not paid. It is also alleged that workman manhandled Sr. Manager and cashier. Workman called in Bank and informed Branch Manager and staff of dire consequences. That as per management, it was not first instance of incident behavior of workman. In the past, chargesheet was issued to workman on 26-2-99 for similar misconduct. Punishment of withholding two increment with cumulative effect was imposed on workman. Ist party further submits that chargesheet was issued to him on 23-7-02 pertaining to ritious disorderly indecent behavior in Bank premises, (2) doing any act prejudicial to the interest of Bank, (3) remaining unauthorised absent. The minor misconduct alleged failing to show proper courtesy to the officers of the Bank, committing nuisance in premises of Bank, remaining absent without

intimation more than 10 days. Enquiry was conducted against him appointing Enquiry Officer J.V.Joshi as per letter dated 12-9-02. That Enquiry Officer submitted his findings holding that charges were proved against him, punishment of dismissal was proposed. Notice was issued to him on 15-1-03. The dismissal order was issued on 21-1-03. Workman raised dispute challenging the dismissal of his service. statement of claim also elaborated about the dispute raised before Conciliation officer and after submitting FOC, the dispute has been referred by Government.

3. Ist party reiterates that the order of dismissal is passed without jurisdiction is illegal. That order of removal should be passed by Appointing Authority. That General Manager (P) was appointing authority of workman. Order of dismissal is passed by Assistant General Manager. The dismissal order is passed violating principles of natural justice. Disciplinary Authority himself issued chargesheet and conducted enquiry. The punishment is also imposed by Disciplinary Authority Shri J.V.Joshi is illegal. That Disciplinary Authority called as prosecutor rather than Judge. That workman had submitted unconditional apology. It is treated as confessional statement. It cannot be treated as admission. One apology is admitted by employee in assurance of his reply to the chargesheet on unconditional apology tendered by workman, he should have been pardoned of minor punishment, they have been imposed. The punishment of dismissal is disproportionate compared to the misconduct alleged. The order of dismissal is like a death sentence is illegal. Ist party workman prays for his reinstatement.

4. 2nd party filed Written Statement at Page 8/1 to 8/22 opposing claim of workman. 2nd party contends the reference of dispute by Government is illegal. As the punishment of dismissal was imposed against workman for proved riotous, disorderly behavior. Workman had used unparliamentarily and indecent in threatening management of dire consequences. He was also unauthorisely absent for 30 days. Ist party workman voluntarily admitted charges against him. He had given unconditional apology. Judicial review of punishment is imposed against workman is not permissible. Bank is covered by Bipartite settlement. The employees are covered by clause 19 of the settlement dated 19-10-66. On 13-5-86, Ist party workman was initially appointed. His service record was not satisfactory. Chargesheet was earlier issued to him. Punishment of withholding of two increments was imposed against workman. 2nd party further reiterates that workman was unauthorisely absent during the period 23-3-02 to 9-4-02 for 90 days. He was also unauthorisely absent from 1-4-02 to 13-4-02. Workman had failed to provide particulars of his saving for computation of income tax on request of Branch Manager. He threatened Bank Manager and cashier. The charges are admitted by workman. Enquiry was conducted by Shri J.V.Joshi, Enquiry Officer cum Disciplinary Authority. Shri K.V.Subramaniam was Presenting Officer. Enquiry was participated by workman. Defence Assistant of Ist party workman had submitted that workman admitted charges, no defence witnesses were produced. It is reiterated that Shri G.V.Joshi Personal Manager was appointed as Enquiry Officer by Disciplinary Authority as per Circular No. 4846 dated 24-4-02. Dismissal order was served on workman but he refused to give its acknowledgment. 2nd party had denied all adverse contentions of workman rather it is reiterated that workman had voluntarily admitted the charges against him. Enquiry Officer found workman guilty of misconduct. Punishment of dismissal of workman cannot be said arbitrary and illegal. The action of the management is proper and legal. 2nd party prays for rejection of claim.

5. As per order dated 4-9-15, enquiry conducted against workman is found legal and proper.

6. Considering pleadings on record and findings on enquiry, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether the misconduct alleged against workman is proved from evidence in Enquiry proceedings?	In Affirmative
(ii) Whether the punishment of dismissal imposed against workman is proper and legal?	In Affirmative
(ii) If not, what relief the workman is entitled to?"	Workman is not entitled to any relief.

REASONS

7. As per order dated 4-9-15, enquiry held against workman is found legal. Question remains for consideration is whether charges alleged against workman are proved from evidence in Enquiry Proceedings. Whether punishment of dismissal imposed against workman is legal. Workman has produced documents Exhibit W-1 letter dated 23-7-02 calling his explanation, W-2 is order of appointment of Enquiry Officer. Shri J.V.Joshi was appointed as Enquiry Officer. Exhibit W-3 is letter dated 3-1-03 calling explanation of Ist party workman w.r.t. chargesheet dated 23-7-02. Exhibit W-4 is the order of dismissal of workman dated 21-1-03. Management has produced documents zerox copy of Enquiry Proceedings. Exhibit M-1 is letter dated 27-8-02 workman tendering apology, Exhibit M-2 is appeal memo. Zerox copies of Enquiry Proceedings are produced along with affidavit of witness of management Chanchal Kumar.

His evidence remained unchallenged. In document Exhibit M-1, charges alleged against workman pertains to the language used by workman “ Tum kya bigaad loge, kaat kar fek doonga” dated 25-2-99. 2 increments of Ist party workmen were stopped as per document M-2 letter dated 10-10-00. Document marked by letter M-3 is letter dated 2-5-02 alleging unauthorized absence during period 1-4-02 to 13-4-02. Document M-4 appear letters written by Shri R.Venkatmurthy addressed to General Manager, Regional Office. That Shri Anil Sahu i.e. CSE refused to submit particulars of his savings for computing income tax and shouted he will come and stab him. Document Exhibit M-5 is report dated 21-3-02. Workman had used abusive languages in the matter how his salary was not paid. He abused in the name of mother and sister and threatened to kill him by shooting him by revolver. Document M-6 is letter sent by employer Venkateshavarlu, Dilip, Pradeep, Rajesh, Ashok and Jageshwar Prasad dated 22-3-02 pertains to threats given by workman. Annexure M-7 is letter dated 23-7-02 calling explanation of workman in the matter of unparliamentary language and threats given to the Branch Manager and staff. It appears to be the chargesheet including unaauthorised absence. Document M-11 appears copy of Enquiry Proceedings dated 9-12-12. The statement of Presenting Officer was recorded. He had produced various documents ME-7 to ME-12. The Defence Assistant had not taken any objection to those documents. Page 6 of the document shows that Defence Assistant did not examine any defence witness as the CSE had admitted the charges. Document M-12 appears to be the report of Enquiry Officer shows that CSE had admitted charges against him in presence of Defence Assistant were included in enquiry. The CSE had admitted charges without any kind of force. Said document refers to admission of charges by workman by Enquiry Proceeding dated 9-12-02 however proceeding M-11 shows that enquiry was conducted w.r.t. chargesheet dated 23-7-02. CSE Anil Sahu was suffering from fever, he was unable to attend . the enquiry was fixed on 9-12-02. Enquiry Proceeding dated 9-12-02 at Page 3/151 , CSE Anil Kumar was present and he confirmed proceeding dated 15-11-02. Defence Assistant T.K.Bannerjee was permitted. Said proceedings shows CSE Anil Kumar admitted charges in chargesheet dated 23-7-02 assuring not to repeat such conduct in future. Chargesheet dated 23-7-02 M-7 refers to CSE refused to submit particulars of his saving for computation of income tax. He had used abusive and unparliamentary information and threatened Manager of Dire consequences if his salary is not paid. As charges alleged against workman are admitted by CSE in Enquiry Proceedings dated 9-12-02 Page 3,4. I record my finding in Point No.1 in Affirmative.

8. Point No.2- In view of my finding in Point No.1 Ist party workman had admitted charges in proceeding dated 9-12-02, the charges are proved as admitted by CSE Anil Sahu needs no further evidence in view of Section 58 of Evidence Act. Proved charges are of serious nature, threatening Branch Manager of dire consequences, refusing to supply particulars of saving for computing income tax. In his notes of argument, counsel for Ist party emphasized that punishment was not imposed by Appointing Authority i.e. Manager, the punishment is imposed by Asstt. General Manager. Ist party has not produced circular or any document that Manager (P) was Appointing Authority of workman or Assistant General Manager was not competent to impose punishment of dismissal. Therefore the submissions on above point cannot be accepted. Punishment of dismissal imposed against workman cannot be said disproportionate.

9. Counsel for both parties submitted written notes of arguments and referred to certain citations. However any of the citations are not submitted for perusal. I have not been given advantage to go through the citation referred in notes of argument submitted by counsel for workman. Considering the charges admitted by workman are of serious nature, the punishment of dismissal against workman doesnot call for interference. For above reasons, I record my finding in Point No.2 in Affirmative.

10. In the result, award is passed as under:-

- (1) The action of the management of Union Bank of India in dismissing Shri Anil Kumar Sahu, Ex-Cashier cum Clerk from service is legal and proper.
- (2) Workman is not entitled to any relief.

R. B. PATLE, Presiding Officer

नई दिल्ली, 4 जनवरी, 2017

का.आ. 65.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 97/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04.01.2017 को प्राप्त हुआ था।

[सं. एल-12012/25/1998-आईआर (बी-II)]

रवि कुमार, डेस्क अधिकारी

New Delhi, the 4th January, 2017

S.O. 65.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 97/98) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Bank of India and their workmen, received by the Central Government on 04.01.2017.

[No. L-12012/25/1998-IR (B-II)]

RAVI KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/97/98

Shri Shivdas Kamlekar,
S/o Devram Kamlekar,
Near B.D.Tailor,
Khandwa

...Workman

Versus

Zonal Manager,
Bank of India,
Zonal Office,
Jail Road, Arera Hills,
Bhopal

...Management

AWARD

Passed on this 24th day of October, 2016

1. As per letter dated 11-6-98 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-12012/25/98/IR(B-II). The dispute under reference relates to:

“Whether the action of the management of Bank of Baroda in terminating the services of Shri Shivdas Kamlekar w.e.f. 13-2-96 is legal and justified? If not, to what relief the said workman is entitled?”

2. After receiving reference, notices were issued to the parties. Workman submitted statement of claim at Page 9 to 15. Case of Ist party workman is that he was appointed as peon against vacant post on January 1984 at Khandwa branch. Chargesheet was issued to Ist party workman on 31-10-94 alleging false charges of misconduct. Without following the provisions of Bipartite agreement, enquiry was initiated against him without issuing notice. He had not given reply to the chargesheet. After initiating enquiry, workman was asked to give reply to the chargesheet. His request to stay in enquiry till filing of reply to chargesheet was not considered. Enquiry was conducted in violation of principles of natural justice. Enquiry Officer submitted exparte report. It is reiterated that he was not supplied documents relating to the charges. Enquiry Officer acted with malafide. Enquiry Officer not recorded statements of witnesses as per their say. Statement of witnesses were recorded in Enquiry Proceedings. Evidence of the witnesses was not properly appreciated. Overlooking the evidence, workman was held guilty to the charges. Ist party further contends that he was not allowed opportunity to cross examine management's witnesses. Copies of Enquiry Proceedings recording statements of witnesses were not supplied to him. Before imposing punishment, he was not served showcause notice. His explanation submitted to Competent Authority was not taken into consideration while imposing punishment. On such ground, workman submits Enquiry Proceedings is illegal. Order of punishment imposed against him is illegal. On such ground, workman prays for his reinstatement with backwages.

3. 2nd party filed Written Statement at Page 35 to 45 opposing claim of Ist party workman. 2nd party submits that Ist party was employed as peon from 2-1-84. Chargesheet was issued to him on 31-6-94. Charges alleged against workman pertaining to theft of one packet envelope containing 100 notes of Rs. 10 denominations amounting to Rs.1000 on 2-6-94. He had unauthorisely entered premises of Khandwa branch on 8-6-94 and 100 notes of Rs.10 denomination along with key chain, one comb and kerchief were recovered from his pocket by Mr. Hastak and Madanlal. 2nd party reiterates that chargesheet was issued to him. Shri S.K.Agrawal was appointed as Enquiry Officer, N.S.Rao was appointed as Presenting Officer. Enquiry was conducted on various dates details given in Para 6 of Written Statement. Statements of management's witnesses were recorded. They were cross examined. The documents were supplied to workman. List of witnesses was also supplied. Ist party workman had submitted documents in support

of his defence. Enquiry Officer submitted his report holding charges against workman were proved. Report of Enquiry Officer was sent to workman along with notice. Considering evidence, Disciplinary Authority imposed punishment of dismissal against workman. Appeal preferred by workman was also rejected. 2nd party reiterates that enquiry was properly conducted, punishment of dismissal is proper and legal. Workman doesnot deserve any relief claimed by him.

4. Ist party submitted rejoinder on 22-6-04 reiterating his contentions in statement of claim.
5. Enquiry conducted against workman is held legal as per order dated 1-4-2015.
6. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

(i) Whether the misconduct alleged against workman is proved from evidence in Enquiry proceedings?	In Affirmative
(ii) Whether the punishment of dismissal imposed against workman is proper and legal?	In Affirmative
(ii) If not, what relief the workman is entitled to?"	Workman is not entitled to any relief.

REASONS

7. As per order dated 1-4-15, enquiry conducted against workman is found legal, question remains for consideration whether charges alleged against workman are proved from evidence in Enquiry Proceedings. Chargesheet dated 31-10-94 issued to workman is produced at Exhibit M-11. Charges alleged against workman pertains to theft of envelope of 100 notes of Rs. 10 denominations total amount Rs.1000 on 7-6-94. Notes were recovered from Ist party on 8-6-94 from pocket of trouser of workman. Document Exhibit M-10 is statement given in writing by workman contenting that his wife was ill, he had spent amount more than Rs.5000, he was not getting loan from relative or other staff. On 7-6-94, while stitching envelopes, he had taken one envelopes of Rs.10 denominations and kept in his pocket. He had taken said envelope to his home. He had realized his mistake and next day he had come to the Bank intending to explain his act committed by him. He had produced envelope containing notes before Branch Manager Shri Hastak. On direction of Branch Manager, he had given statement in writing. Exhibit M-12 in Enquiry Proceeding Ist party workman had completed not guilty to charge on 9-12-94. The statements of management's witnesses Shambhu Sharan Accounts clerk clearly shows on 7-6-94, he started balancing work around 2.30 PM, cash of s.000 was found short. He checked cash denomination wise. One envelope of Rs.10 denomination containing 100 notes was not found. He had given its information to the Branch Manager. He had taken Rs.1000 from Mr. Kalungo and deposited in the cash. His earlier statement was recorded as per his says. In his further evidence, he says work of stitching cash was done by peon Kamal. However as he was on leave, in his place, CSE had done work of stitching cash. His further evidence shows that he had identified the envelope he had written in less 36 on said envelope. His cross examination at length, his evidence on above point was not shattered. Witness re-affirmed that after counting the packets, he was putting slip on it. He was putting his signature and then keeping the cash in drawer. In his cross-examination, he reaffirmed that on 7-6-94, cash was with Shivdas Kamlekar i.e. CSE. On that day, search of person of CSE was not taken in good faith. Mr. Kalungo had given check from his overdraft account. Witness Madanlal in his evidence had confirmed that on 7-6-94, around 4 to 4.30 PM, cash of Rs.1000 was found short. They had searched for it but cash envelope was not found. The CSE Shivdas had stitched the cash on that day. Evidence of both witnesses is corroborated by Shri Hastak witness No.3 of the management. His evidence further shows that on 8-6-94, CSE Shivdas had come to the office early in time and he had produced envelope of notes containing 100 notes of 10 Rs. Denomination, chain, comb, handkerchief etc. on his say, workman had also given statement in writing. Evidence of Mr. Hastak corroborates evidence of Shri Kamlekar and other witnesses. Statement of all of them were given in writing on same day and produced at Exhibit M-12,13-A,B.,C,D.

8. During course of argument, learned counsel for Ist party workman Shri R.C.Shrivastava submits that the charge of theft against workman is not proved. The notes are not produced, seizure memo is not shown therefore charges are not established. On the above point, the Enquiry Proceedings at Page 7,8 needs to be considered. It finds reference that genuiness of documents No. 1,3 & 4 were not disputed by Defence Representative. The envelope was not in sealed cover. Envelope was not accompanying with seizure memo. Enquiry Officer had explained that he would verify the articles opening the envelope. Letter written by Ist party workman was not having reference of seizure memo. After the envelope was opened, 100 notes of Rs.10 denominations, kerchief, red comb, key chain having 3 keys, coin of 50-paise were found in it. The number of notes on upper side was bearing writing in Hindi 1000 (Note No. 60R347481). The note underlines was bearing No. 69D752959, 00 notes of 10 Rs denomination were found. The defence

representative was present while recording above proceeding. The identity of the notes discussed in the Enquiry Proceeding is not disputed during course of enquiry. Statement given by workman he had produced the envelope of the note shows that charges against workman are supported by sufficient evidence. The findings of Enquiry Officer are not perverse. Re-appreciation of evidence is not justified. For above reasons, I record my finding in Point No.1 in affirmative.

9. Point No.2- in view of my finding in Point No.1 that charge of theft alleged against workman is proved, question remains whether punishment of dismissal imposed against workman is disproportionate. Considering the proved charges of theft of Rs.1000, workman himself producing envelope producing envelope of note on next day, punishment of dismissal imposed against workman cannot be said disproportionate to proved misconduct.

10. Learned counsel for management Shri A.K. Shashi during course of argument relies on ratio held in

Case between Union Bank of India versus Vishwa Mohan reported in 1998-I-LLJ-1217. Ratio held in the case pertains to chargesheet related to serious misconduct. Respondent unable to demonstrate how prejudice was caused to him due to non supply of inquiry report. In banking business absolute devotion, diligence and integrity need to be preserved by every bank employee and in particular by bank officer. If this is not observed, confidence of depositors would be impaired.

Reliance is also placed in case between Divisional Controller, NEKRTC versus H.Amaresh reported in 2006(6)SCC-187. Their Lordship dealing with quantum of propriety misappropriation of a small amount of SRTC funds (Rs.360.95 in this case) by conductor held a grave act of misconduct which resulted in financial loss to RTC, charges proved in domestic enquiry, the punishment of dismissal from service was awarded by Disciplinary Authority and did not call for interference.

11. Shri A.K.Shashi, Advocate for management also submitted copy of award in R/38/90 pursuing his argument. Said award cannot be treated as binding president. However considering the evidence and charges proved against workman of theft is of serious nature, punishment of dismissal imposed against workman doesnot call for interference. For above reasons, I record my finding in Point No.2 in Affirmative.

12. In the result, award is passed as under:-

- (1) The action of the management of Bank of Baroda in terminating the services of Shri Shivdas Kamlekar w.e.f. 13-2-96 is legal and proper.
- (2) Workman is not entitled to any relief.

R. B. PATLE, Presiding Officer